

COMMISSION OF INQUIRY INTO THE
USE OF DRUGS AND BANNED PRACTICES
INTENDED TO INCREASE ATHLETIC PERFORMANCE

HEARING HELD AT 2nd FLOOR - 1235 BAY STREET,

TORONTO, ONTARIO

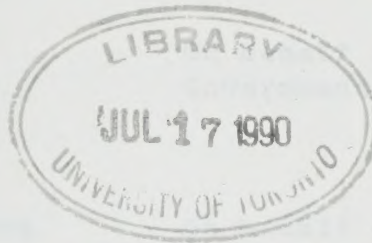
ON THURSDAY, JANUARY 19, 1989

VOLUME 8

B E F O R E:

THE HONOURABLE MR. JUSTICE CHARLES LEONARD DUBIN

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5

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10

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Olympic Association

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--- Commenced at 10:00 a.m.

THE COMMISSIONER: Ms. Chown?

MS. CHOWN: Thank you, Mr. Commissioner. I
5 do have one more short area to cover with Mr. Secord.

THE COMMISSIONER: Thank you.

MS. CHOWN:

Q. Mr. Secord, one of the aspects that we
10 did not cover yesterday was the funding provided by the
recreation division for the Ontario Games Program. Would
you tell us, first of all, what the Ontario Games are?

A. The Ontario Games are held annually,
alternating between summer and winter. They bring
15 together about 2,500 athletes in roughly 20 sports and in
the year in which that competition is held those athletes
and those teams are declared the provincial champions, in
that sport, in that year.

Q. I understand that they are aimed at,
20 what we might call, the junior championship level?

A. Yes. The range generally is between 12
to 13 years old and 18 and 19. In other words, it's
junior and the average age would be somewhere around 15,
16 for these championships.

Q. You said you have athletes as young as
25

12 years old competing in the Ontario Games. What sports would they be in?

A. Usually gymnastics. Both artistic and modern and figure skating.

5 Q. You say the average athlete -- the average age of an athlete competing in these games would be 15 and 16 years old?

A. That's right.

10 Q. Are any nationally carded athletes eligible to participate in the Ontario Games program?

A. No, they're excluded.

Q. Is there dope testing carried out at the Ontario Games?

A. No, there is not.

15 Q. And why is that?

A. I think first -- mainly, because of the age of the athletes and the fact that they are of a relatively young age, as I have suggested, and therefore we do not feel that there would be that kind of use of performance and abuse of substances at that age.

20

However, there are certain rules in terms of medication, prescribed medication, that apply to the games.

Q. You say you feel that these athletes are, by and large, too young to be involved in substance

25

abuse, so for that reason you don't carry out active testing?

A. That's correct.

5 Q. Do you provide any sort of educational materials to the athletes participating in these games about substance abuse?

A. We advise the sport associations of our expectations of those they select to attend the game.

10 Q. What are expectations with respect to these athletes and substance abuse?

A. That basically that they will use only prescribed medication prior to and at the event.

MS. CHOWN Mr. Commissioner, those are the questions I have for Mr. Secord.

15 THE COMMISSIONER: Thank you. Anybody wish to ask any questions?

MR. BARBER: Yes, Mr Commissioner, I have a couple of questions.

CROSS-EXAMINATION BY MR. BARBER:

20 Q. Mr. Secord, I represent the Sport Medicine Council of Canada. Has the Province of Ontario adopted a policy which opposes the use of drugs or banned practices in sport?

A. Not adopted a policy. We
25 obviously are aware of the situation, as you will hear

from the next witness, there are a number of initiatives that we have taken in that area.

Q. And I take it a witness to come will explain those initiatives.

5 THE COMMISSIONER: Yes, I think the next witness is the one who has been working on this field.

BY MR. BARBER:

10 Q. Well, then, sir, just to deal with a couple of matters that arise from your own evidence; you mentioned yesterday that drug education is on the curriculum for coaches' training at level three?

A. Yes.

15 Q. Is that coaches' training the same as or different from the coaches' training which is offered through Sport Canada and the Coaches Association?

A. The same.

Q. And there are five levels, I understand ---

20 A. That's correct.

Q. -- of certification?

At what level would you expect a level three coach to be active -- what level of athlete would a level three coach be involved with?

25 A. While this is not exactly stratified,

the levels really are a local coach or community coach, a regional coach, a provincial coach. Level four, then, would be a national coach, and number five would be an international coach, number five being the highest level.

5 Now, it's quite possible that people with certification at the second and third levels would be coaching at the community level as well. And I'm sure that the president of the Coaching Association can describe that in fairly complete detail in terms of
10 expectation.

THE COMMISSIONER: Is that Mr. Gowan.

THE WITNESS: Yes.

THE COMMISSIONER: Mr. Gowan.

15 MR. BARBER:

Q. In general, would I understand that a level three coach would be coaching at the provincial team level?

A. Levels two and three are generally at
20 the provincial level, and the Canada Games requirements are that the coach be certified, if possible, no lower than the second level in order to accompany that team to the Canada Games.

Q. And it's at that level, level three,
25 where drug education is introduced in the curriculum?

A. That's right.

MR. BARBER: Thank you, sir. I'll save my other questions for the next witness.

THE COMMISSIONER: Thank you, Mr. Barber.

5 Any other questions? Thank you, very much, Mr. Secord.

Ms. Chown, the next witness?

MS. CHOWN: The next witness will be Marjorie Keast?

10

MARJORIE KEAST: Sworn

MS. CHOWN: Thank you. Mr. Commissioner

15

THE COMMISSIONER: Is that K-I-E-S-T?

THE WITNESS: K-E-A-S-T.

MS. CHOWN: Mr. Commissioner, you'll find a copy of Miss Keast's Curriculum Vitae in the back of the package of material that was provided to you yesterday.

20

THE COMMISSIONER: Can I have that? I think it's that, the marked exhibit?

MS. CHOWN: No, it was the bundle of papers that were attached together. At the back those you should find ---

25

THE COMMISSIONER: Yes, I have it. Thank

you, very much. I see the spelling right here, too.

Sorry.

THE WITNESS: It's quite all right.

DIRECT-EXAMINATION BY MS. CHOWN:

5 Q. Miss Keast, I understand that you
presently hold the position of manager, Community and
Safety Initiatives in the Ministry of Tourism and
Recreation.

A. That's correct.

10 Q. You've held that position since January
of 1987. And just so that the thrust of your evidence
will be clear, I understand that in that position you have
the responsibility to co-ordinate and direct the operation
of what is the called the community and safety initiative
15 section, which, as we will hear, has some involvement with
anti-doping?

A. That is correct.

20 Q. Prior to your present position, you
were technical program coordinator at the same ministry
between August of '84 and December of 1986?

A. That's correct.

25 Q. And prior to that, you were a sport
consultant with the Ministry of Tourism and Recreation
between 1982 and 1984, and prior to that I understand you
were actively involved with the Ontario Ringette

Association between 1972 and '82.

THE COMMISSIONER: What is that?

THE WITNESS: That's correct.

5

MS. CHOWN:

Q. Can you explain to us what Ringette is?

10

A. Ringette is a sport predominantly played by females on ice. It would appear to look like playing field hockey on ice. Or -- that's a pretty vague description, but, basically, they use a cut-off hockey stick and around rubber ring and the object of the game is to score goals.

THE COMMISSIONER: So is it a good game for me?

15

MS. CHOWN: If you abandon tennis. Mr. Commissioner, I wonder if we might mark Miss Keast's Curriculum Vitae as Exhibit 69.

THE COMMISSIONER: Thank you.

THE REGISTRAR: 69.

20

--- EXHIBIT NO. 69: Curriculum Vitae of M. Keast.

MS. CHOWN:

25

Q. Miss Keast, you've been here through Mr. Secord's evidence, and I have indicated to counsel

that you are the person with the knowledge and responsibility to give us assistance on understanding what Ontario's position has been with its athletes in the development of anti-doping programs.

5 Could I ask you, first of all, to just reiterate for us what the situation has been in Ontario up to date with respect to any testing that has been carried out of provincial level athletes?

10 A. To date, there has been no testing of provincial level athletes at Ontario competitions.

 Q. To the extent that a provincial level athlete was competing nationally or internationally, might that athlete be tested at such competitions?

 A. I believe so.

15 Q. But dealing solely with events within the province, the Ontario government has not proceeded with any mandate of testing?

 A. That is correct.

20 Q. Mr. Secord indicated to us that that was because largely the athletes were felt to be too young to be involved in substance abuse?

 A. That is correct. And I also believe that, certainly, we did not believe that with this age group that there was a problem pertaining to use of
25 anabolic steroids.

Q. When you say you don't feel there has been a problem, has the ministry taken that position based on its experience with these athletes over the years?

5 A. Yes. And that is that we have not had any experience with the Ontario athletes pertaining to the use of anabolic steroids within the provincial competition.

THE COMMISSIONER: That is for those who are participating in provincial competitions?

10 THE WITNESS: Up to that level, that is correct.

THE COMMISSIONER: And that -- I think the age level, I think Mr. Secord told us, started about 12.

THE WITNESS: 12 to up to about 20.

15 THE COMMISSIONER: 12 to 20.

MS. CHOWN: But the bulk ---

THE COMMISSIONER: For those who are not yet been brought into the national pictures, as it were?

THE WITNESS: That is correct.

20 MS. CHOWN:

Q. The bulk of those athletes would fall in the mid-range of 15, 16 years old?

A. I believe that's correct.

25 Q. Has the Ministry in Ontario any

published policy on doping?

A. Our public policies or our published policies would be those that are contained in the information that is disseminated to the athletes at the Ontario Games program, and there is information
5 disseminated to the coaches and the athletes which indicates to them that the use of drugs, the use of alcohol is strictly forbidden by the athletes at the games, and as well, we disseminate information to our
10 athletes competing in the Canada Games, and that information is provided to us by the Sport Medicine Council of Canada.

Q. And what kind of material are you talking about there?

A. That is rather detailed information in terms of -- certainly, I've witnessed at Canada Games, information given to the athletes and the coaches is
15 two-fold.

That is, information that pertains to the actual testing that would go on at the games. Likewise,
20 there is information, educational information, that is given to the athletes that promotes the non-use of drugs by athletes.

Q. Thank you. I'd like to turn briefly to
25 those athletes ---

THE COMMISSIONER: Is there any information given as to the health effects of these drugs in your material, that is the harmful effects that may befall an athlete.

5 THE WITNESS: I would only be guessing to say yes, because I can't recall specifically that information.

THE COMMISSIONER: You don't have the material. Thank you.

10

MS. CHOWN:

Q. I'd like to turn briefly to the question of athletes in Ontario who are receiving assistance under the Ontario Athlete Assistance Program.

15

We have heard that nationally carded athletes who receive such assistance enter into a contract with their national sport organization and, as part of that contract, undertake not to use banned substances.

20

Can I ask you, first of all, whether Ontario athletes, receiving assistance, enter into any contract with their provincial sport organization?

A. The answer to that is that there are some organizations that we are aware of that have agreements with their athletes.

25

As to the content, whether it goes to the

extent of including information on banned substances, we are not familiar with that because we have not required the provincial sport association to file that information with us.

5 Our role has been one of saying to the provincial sport associations that we recommend to you that you enter into an agreement with the athletes that are receiving assistance under that program.

10 Q. Do you also recommend to the provincial sport organizations that in such agreements they include references to anti-doping policies?

 A. No, we have not.

15 Q. Now, if I can turn to the particular involvement and areas that you are responsible for within the recreation division, I'd like to ask you first about a board that is called the Ontario Sports Medicine and Safety Advisory Board.

20 I understand this particular board was established by Ontario in April of 1985. Would you please outline for us what its purpose was?

25 A. The purpose of that board was to bring to the Ministry of Tourism and Recreation information pertaining to the extent of injuries that were occurring across all sport, fitness and recreation programs or activities, and to advise us of the strategies or

recommendations that should be put in place to reduce those injuries.

Q. Who were members of this board?

A. About a 25 member board and it was a
5 cross-section of people from sport, fitness and recreation, the academic field, medical field, representatives from sporting good manufacturers.

Q. You've indicated to us that its main
focus was to look at sport injuries but I understand, as
10 part of its research, it also looked into the question of substance abuse and out of that arose certain recommendations?

A. That is correct.

THE COMMISSIONER: What do you include in
15 your designation of substance abuse, because that's a very broad term, I think.

THE WITNESS: What they looked at was
substance abuse in terms of both drugs and, in particular,
alcohol was also quite a concern of the board.

20 THE COMMISSIONER: Including banned drugs under the -- or are you talking about cocaine and marijuana, things like that?

A. It was more recreational drugs, I think, the banned substances, but it was more general as opposed to very specific drugs.

MS. CHOWN: Mr. Commissioner, you have
5 before you a document entitled Safer Ontario which is the report prepared by the Ontario Sports Medicine and Safety Advisory Board. I wonder if we might mark that as Exhibit 70.

THE REGISTRAR: Number 70.

10 --- EXHIBIT NO. 70: Document entitled "Safer Ontario"

MS. CHOWN:

Q. Ms. Keast, this document deals with
15 many of the areas focussed on by the Board but I believe there are five recommendations that dealt with substance abuse. Would you review those for us, please.

A. Yes, in referring to the report Safer Ontario, the recommendations pertaining to substance abuse
20 are contained on page 38, and items number C.4, C.7, C.8, C.9, and the last one is contained on page 41 which is E-6.

Q. I am going to ask you to go through
each one of those and provide us with your comments. The
25 first recommendation, which is found on page 38,

recommendation C.4, states.

"A public education campaign be mounted to address the dangers of alcohol in association with sport, fitness, and recreation activities."

You have indicated to us that there was a concern about alcohol use in this group and hence a recommendation in that regard. We are not going to spend any time on that notwithstanding it's an important issue, it's not part of our mandate here.

If I could direct you to the second recommendation, recommendation C.7 found on page 38, it states:

"All groups affiliated with provincial sport organizations be required to disseminate pertinent information on proper nutrition and issues related to drug abuse to their athletes."

This is clearly an educational type of recommendation.

Can you first of all tell us why there was a concern about relationship to educating these athletes about drug abuse?

A. In reviewing the report in detail, which refers to recommendation C.7, C.8 and C.9, the

report indicated a number of things. First of all, that it is very difficult to ascertain the prevalence of drug use and abuse among Ontario athletes. That was the first point.

5 The second point was that with those who were interviewed including coaches, administrators, and athletes, that the coaches and administrators felt that the use of anabolic steroids was not an extensive problem in Canada.

10 Now, the author went on further to say that he had a problem in reconciling that with the fact that during the time of this study three athletes were suspended because of the use of drug abuse. And he said that this finding therefore may indicate a reluctance on
15 the part of the athlete to discuss the problem, or a honest lack of knowledge on the part of the coaches and administrators as to the actions of colleagues and athletes in this regard.

 THE COMMISSIONER: What are you reading
20 from, please? This is your analysis of it?

 THE WITNESS: I am reading from the detailed analysis, a very thick document, from which these recommendations were put forward by the Board.

 THE COMMISSIONER: Thank you.

25

MS. CHOWN:.

Q. So, what you are saying as we have heard from other sources, is it is very difficult to get a very precise definition of numbers of people abusing drugs and in particular anabolic steroids. There always has to be caution with respect to the information received.

A. The other thing that the detailed report provided was an overview of the literature. And a couple of things that they pointed to in terms of causes of drug abuse in athletes, they said it's basically two dimensional. There are the personal factors which would include injuries, pressures to play or train despite chronic pain; psychological stress; boredom; long, often isolated, hours of training; and self doubt; or environmental factors which would include group pressures, drug abuse by well-known sport role models; and suspected use by competitors from other countries.

Q. We have certainly heard some of these things mentioned by other witnesses.

THE COMMISSIONER: Do we have a copy of that study, Ms. Chown.

MS. CHOWN: Yes.

Q. The third recommendation is recommendation C.8, and that's also found at page 38. And it states:

"A current list be made available
of agencies which undertake counselling
of athletes with such psycho-social
problems as eating disorders, problems
with substance abuse and/or obsessive-
compulsive behaviours and/or
re-orientation of retirement upon
competition."

Focussing on the reference to substance
abuse, I understand what the Board was trying to get at
here is to provide coaches and those other professionals
that work closely with athletes with information that they
might use to assist an athlete that they perceive to be
having a problem let us say with substance abuse?

A. That is true.

Q. Is it fair to say that the coaches were
identified particularly as having a very strong role to
play in this regard?

A. Very much so. And I think they are in
a very, very influential position due to the close
relationship with the athlete.

Q. The next recommendation is C.9, it
indicates:

"Training programs for coaches and
athletes emphasize the ethics of

'winning within the rules' rather than
'winning at all costs' and such
psycho-social problems as listed in
recommendation C.8 above."

5 Would you comment on that recommendation,
please?

 A. The focus here is on ethical
considerations. And once again it recognizes the very
influential position that the coaches are in because of
10 the close relationship that they have with the athlete.
And that it's very important that that relationship be
used in a positive manner and that is to influence the
athlete's behavior in terms of the way in which they
perform the game, that it is in fact not at a "winning at
15 all cost", that it is in fact contained within the rules.

 And basically surrounding that is the way in
which a coach can have an influence on an athlete in terms
of their attitudes towards a healthy lifestyle. And
that's where the psycho-social problems come into play and
20 very much a concern that in the position that the coach
has that they use that influence positively and that they
be concerned with the psychological ill effects that can
come out of some of these behaviours.

 Q. The final recommendation that's
25 relevant to this Commission is recommendation E.6 found at

page 41 of the report. And that states that:

"Current coaching programs be reviewed to determine the emphasis to be placed on:

- 5 a) the psychological and physiological ill effects to athletes of eating disorders, substance abuse and/or obsessive-compulsive behaviour.
- 10 b) the implications of psychological strategies to enhance performance.
- c) the reorientation of a retiring athlete."

A. One of the concerns raised in the report that capsulates this particular recommendation is

15 the concern once again zeroed in at the coach because of that influential role, but it's important to in our investigations to underscore the vulnerable position of the athlete in the coach-athlete relationship and the potential for a psychological harassment and abuse on the

20 part of the coach.

Q. We have outlined those recommendations, and I understand as a result of them, certain steps have been taken by the Ministry in order to implement them.

One of the first ones was the creation of a

25 program entitled Ministry of Tourism and Recreation Safety

Program and that was launched initially in 1987 based on an interim draft of the report Safer Ontario and a second initiative in October of 1988 based on the final report.

And am I correct in understanding that this
5 program was set up basically to implement the recommendations from the report Safer Ontario?

A. That is correct. And the goal of that program is the overall reduction of injuries in sport, fitness, and recreation activities.

10 Q. All right. And again since substance abuse did play some role in the recommendations issued under that report, would you tell us what initiatives the government intends to take to carry forward the recommendations with respect to substance abuse?

15 A. The recommendations in the report are certainly being reviewed with an eye to implementing them. The initiatives that we have undertaken to date in the area after substance abuse are basically fourfold.

20 One is that we are entering into joint initiatives with the Fair Play Commission to emphasize winning within the rules as opposed to winning at all costs, because we believe that certainly is one of the key basis upon which athletes, coaches, undertake behavior that is contrary to that healthy both
25 psychological-sociological behaviours in sport.

Q. Let me just stop you there. So, the Fair Play Commission is a Federal Commission.

THE COMMISSIONER: I think the Chairman insists on calling it the Commission for Fair Play.

5 MS. CHOWN: Commission for Fair Play.

Q. It's a Federal commission that was initially set up to look at violence in hockey but now has expanded it's mandate to include other ethical considerations arising out of such things as substance
10 abuse?

A. That is correct. And I think that rather than duplicating what the good work of the Fair Play Commission is doing, in Ontario we are working quite closely with the Fair Play Commission and initiating joint
15 projects.

The second thing that we are doing in Ontario is we are currently assisting the provincial sport associations in the development of the risk management and safety programs. And within the context of the
20 development of those programs, we are discussing substance abuse and winning within the rules.

Q. Could you comment on what your opinion is as to the awareness of provincial sport organizations about the problem of the use of banned substances and how
25 they can deal with it?

A. The feedback that we are getting from the discussions about substance abuse with the provincial sport associations, and I must say that we are only part way into that project so we have probably had discussions with about one third or 20 or so provincial sport associations.

First of all, because of very fact that this Inquiry is being held, the awareness has been very much heightened. The provincial sport associations are indeed concerned. They feel, however, with the exception of a couple of organizations in which the use of anabolic steroids has been very much known to be involved in their sport, the other sports view it as, yes, we are concerned, but we view it as one of a problem of a Federal level because of, number one, the level of the competition and the caliber of athlete both within the province and of course as they move on through that athlete stream. They are at a higher competitive level once they move to the Federal level.

The other thing, the message that we are getting is that as per concerned, provincial sport associations they are saying that most sport people feel that they are ill-equipped to deal with the problem intelligently. They lack the knowledge of how to deal with this particular problem. They say how do we identify

when an athlete is involved in substance abuse, and then if we do identify an athlete who has been involved in substance abuse, what do would we do, what are the legal ramifications of that.

5 So, there is a great deal of fear in terms of what do we do, how do we go about doing it, and a general lack of information there.

 They are however saying that their expectation is that because of the concern, the fact that
10 this Inquiry has been put in place, and because they perceive government to be taking some action and will be taking some action in the future, that they would expect that they will be given some direction and leadership possibly even regulations by the two levels of government
15 that will determine the courses of action that they would lead and have to follow in the future.

 Q. So, you have indicated you are at a initial stage in having discussions with each provincial sport organization on this. Once your review is
20 completed, can you assist us as to what steps the Ontario government intends to take in assisting the provincial sport organizations with this kind of information?

 A. First of all, I think that we want to play a very significant role in this area because we
25 realize that the athletes that are in Ontario are those

that many will move up through the athletic stream and on to the national teams and therefore become part of the much more elite sport development in Canada. And that we have a certainly a role to play in educating those
5 athletes against the use of drugs. In terms of what we do, however, we believe that it should be part of a larger, the larger context of the program be it educational, policy development, or sanctions that are placed, and that whatever we do, should be part of that
10 larger framework, if you will.

It's important that the messages that come out from the provinces are co-ordinated provincially and federally, that they are consistent and coherent messages so that the athletes and coaches for that matter do not
15 get messages that are mixed and that add confusion. Now, saying that, I would say that once we know the broader picture, we will then as well determine whether there is a need for information for the recreational participant and the athletes that are at let's say a lower level within
20 the competitive ranks.

Q. Thank you. And I understand you have also as one of your initiatives to the report looked at a Task Force that was carried out by Minister Ken Black, an MPP, on Illegal Drug Use in Ontario.

25 Mr. Commissioner, that report is before you,

if we could mark that as exhibit 71.

THE REGISTRAR: 71.

--- EXHIBIT NO. 71: Report of Ken Black

5

MS. CHOWN:

Q. Ms. Keast, I understand that this report was one that or the investigation and the resulting report, was one that was commissioned by the province as a result of the death of Benji Hayward, a young teenager who died in Toronto as a result of drug abuse?

10

A. That is correct.

15

20

Q. And while the report itself focusses on such drugs as cocaine, marijuana, LSD, and therefore not particularly on such banned substances that we are dealing with here as anabolic steroids, I believe you have indicated to me that you feel some of the general philosophy, if you will, that Mr. Black has set out in his report would be of assistance in dealing with the younger group of athletes that you deal with in general terms.

25

A. That is correct.

Q. Would you comment on the report and perhaps direct us to the portions that you feel are particularly relevant?

5 A. Okay. I think, first of all, yes, the focus of this report was on the use of an illegal drugs.

On the other hand, I think there are some comments, if I can direct you to page 1 of the executive summary, the fourth paragraph down, I think puts this in
10 context. Mr. Black says: "Just as we can cannot isolate..."

THE COMMISSIONER: I'm sorry. What page are you at? I'm looking at page 1.

MS. CHOWN: It's one -- the third page in,
15 where it says, "Executive Summary."

THE COMMISSIONER: Yes, thank you.

THE WITNESS: It's the fourth paragraph down that I'm referring to. Mr. Black says:

"Just as we can not isolate illegal drug
20 use from a larger problem of substance abuse, we cannot deal with substance abuse in isolation from the many other social and health problems with which it is linked".

And I think that we see that, certainly throughout the
25 recommendations, that the solutions to some of the

problems will not be dealt with in isolation.

Let me quickly give you an example of that.
If we turn to the recommendations, and we'll go to one of
the first ones, just to give you an example, there's some
5 29 recommendations. But the first one is directed at ---

MS. CHOWN: Mr. Commissioner, those are
found at the back, unfortunately at the unnumbered page,
following page 47.

THE COMMISSIONER: Yes.

10 THE WITNESS: Just an example of the
broader focus in which the recommendations will be
implemented, the first recommendation is directed at the
Ministry of Education, and it says:

"The Ministry of Education review: The
15 recently announced mandatory health
education program to be implemented in
Grades, kindergarten to Grade 10 by
September 1, 1989 to ensure that such
programs provide a comprehensive approach
20 which focuses on the development of healthy
and lifestyle practices."

I think that certainly that indicates that
within the context of the education system they're looking
at that broader focus, healthy lifestyle which is both the
25 use of non-use of drugs, whether it's illegal drugs or

other substances.

Q. As you've indicated earlier, many of your athletes, because of their ages, would be in about the Grade 10 level of education?

5 A. That correct. I think it's also, if I might flip back and direct you to a couple of other references that I think might be of help, this is going back to the front of the report and it is page 3 of the executive summary.

10 This report is basically written in the context that there are two major approaches. One is -- and that is the reduction of the supply and the reduction of the demand for the illegal drugs.

15 And on this page 3, going down to the third paragraph, it comments that the preferred approach will provide young people with the knowledge, skills, attitudes and values they need to cope not only with substance abuse, but with other issues which impact on healthy living. It will meet the needs of our young people in the most cost effective and time efficient manner possible.

20 Once again, a comment that has, I believe, implications across the use of drugs, whether they're banned substances, illegal substances or substance abuse in other areas.

25 Q. Thank you.

A. Page 23 and 24 specifically refers to the role that sport and recreation can play in the prevention of drug use, and in particular, I'll read a couple of excerpts from page 23.

5 The report says:

"The use of positive role models for young people can have a significant impact on..."

THE COMMISSIONER: Where are you reading from, page 23?

10 MS. CHOWN: That's the second sentence on the third paragraph on page 23.

THE COMMISSIONER: Yes.

THE WITNESS:

15 "The use of positive role models for young people can have a significant impact on the decisions they make. Indeed, the use of entertainers and athletes to speak out on behalf of a drug free lifestyle can be
20 effective when used with appropriate age groups."

Then go down to the next paragraph:

25 "Related to that is the need to have drug free sport and recreation programs in which young people may participate. The

task force believes these two areas to be especially important. Through these avenues committed sport and recreation volunteers are provided with new and dynamic ways in which to influence a great number of youth in a positive manner.

As well, those involved in sport must recognize that their obligations to the athlete and to the recreational participant should not be limited to the playing field, but must also extend to moral and ethical issues.

It is our hope that the sport and recreational system can produce and counter peer pressure to that which young people face in their school and in the social settings."

I'd just like to comment on that. That is one of the areas that we believe that within the sport, fitness and recreation environment that we can have some role to play and we are pursuing that.

Q. The final initiative I understand your program has been undertaking is with respect to presentations to the Provincial and Territorial Ministers of Sport, and can you comment briefly on that?

A. Yes.

This was commissioned by the provincial-territorial Ministers of Sport and Recreation. We are engaged in discussing anti-doping initiatives to be undertaken jointly, provincially, territorially, as well as between the Federal Government and ourselves.

Q. I understand a recent meeting of those ministers was held in the fall of 1988 in Winnipeg?

A. That is correct.

Q. And that leads to -- or is hoped to lead to what you said earlier, that you believe it's important that the province have a coordinated and consistent approach to an anti-doping program?

A. That's correct.

I think that within that context, Ontario strongly believes that the first priority should be placed on the development of a national policy on drugs in sport, and that it be developed in collaborations between the Federal Government and the Provincial Government and it would provide a framework for all of the initiatives to fall out of so that both consistent and coordinated approaches were being undertaken.

Q. Thank you.

Mr. Commissioner, those are my questions of Miss Keast.

THE COMMISSIONER: Thank you.

Any questions of Miss Keast? Just one
comment or question, Miss Keast. Looking at the personnel
of your sport medicine group, I don't see any
5 representative of a high school involved at all. Have you
looked into the question of ---

THE WITNESS: I should point out ---

THE COMMISSIONER: Do you participate in
high school competitions?

10 THE WITNESS: I should point out that that
board has completed their task and finished their two year
tenure, and so therefore is no longer in place.

Currently, we have just formed a new
advisory committee on sport, fitness and recreation
15 safety, and it is a smaller group of representatives from,
once again, sport, fitness, recreation, academic, medical
profession. That's a nine member committee.

THE COMMISSIONER: But are you at all
involved in high school competitive sports.

20 THE WITNESS: Our involvement would be one
through discussing initiatives with the Ministry of
Colleges and universities and Ministry of Education, and
we will be doing that.

THE COMMISSIONER: But from what I've read
25 and, of course, one can't always accept what's reported as

being accurate unless it's in a Royal Commission report,
but there seems to be a concern at least in the United
States of these anabolic steroids in the high school level
for potential football players and basketball players
particularly. You haven't addressed that issue here, I
guess.

THE WITNESS: We haven't as yet. As I
said, once again, we have had initial discussions with the
Ministry of Education. They are also involved with the
black task force on illegal drugs in Ontario, and as part
of that, they will be addressing drug use in the education
system.

THE COMMISSIONER: Right. Thank you very
much, Miss Keast. Thank you. Mr. Proulx?

MR. PROULX: Mr. Commissioner, the next
witness will be Geoff Gowan, please.

GEOFF RUSSEL GOWAN: Sworn

MR. PROULX: Just take a few seconds to
distribute the material.

DIRECT EXAMINATION BY MR. PROULX:

Q. Mr. Gowan, referring yourself to
Exhibit 6-A, we can see that the Coaching Association of
Canada is an organization which is funded by Sport Canada.

You are the president of this -- present president of this Association?

A. Correct.

Q. And you've been the president for the past eight years?

A. Correct.

Q. You've been with this association since 1972, and before that you were a technical director?

A. In my first position with the Coaching Association I was technical director, yes.

THE COMMISSIONER: Would you speak up please? Put the mike a little closer to you. Thank you.

MR. PROULX:

Q. Would you please tell the Commissioner when this Coaching Association of Canada was formed.

THE COMMISSIONER: Let me ask you something. Are you a coach originally?

THE WITNESS: I was a coach, sir, yes.

THE COMMISSIONER: In what sport?

THE WITNESS: Primarily in track and field at the highest levels, but in several other sports when I taught in high school.

THE COMMISSIONER: What years were those?

THE WITNESS: In the advanced level,

international athletes in track and field in the 1960's.

THE COMMISSIONER: Right. So you were actually in the field before you took on this administrative job?

5 THE WITNESS: Very much so, yes.

MR. PROULX:

Q. In fact, if we want to go back with your prior experience, you've been in England teaching on the faculty of a college specializing in physical education?

10

A. Yes.

Q. You have been teaching in the United States?

15 A. Yes.

Q. And being on a faculty of the physical education department of McMaster University for four years?

A. Correct.

20 THE COMMISSIONER: I'm sorry then. At McMaster what were you doing there?

THE WITNESS: I was in the Faculty of Physical Education teaching undergraduate students in physical education and coaching the track and field team.

25 THE COMMISSIONER: That's in Canada?

THE WITNESS: Yes, 1968 to 1972.

THE COMMISSIONER: Would they be what you call high performance athletes.

5 THE WITNESS: Some of them. They were university level athletes. Therefore not all have been high performance; some of them, yes.

THE COMMISSIONER: Well, they may not have been to begin with, but when you're through with them they would be high performance at least?

10 THE WITNESS: One would hope so, but it always doesn't work that way.

MR. PROULX:

15 Q. You just said you've coached various levels of athletes. Could you be more specific and how many years?

20 A. During the time that I taught in high school in England, which was approximately 7 years, I coached essentially school level athletes, some who went on to county school level performance, and in a variety of sports, soccer, rugby, track and field and cricket.

25 Then when I returned to my alma mater, Lethborough College, which is Lethborough University, which is the number one physical education college in the United Kingdom, I taught track and field. But I also

coached many of the track and field athletes. Several of whom went onto international honours including Olympic medals.

THE COMMISSIONER: That's in the U.K?

5 THE WITNESS: Yes.

THE COMMISSIONER: Right. We don't have a C.V. of Mr. Gowan?

MR. PROULX: Unfortunately, we don't.

THE COMMISSIONER: We're getting it now.

10 THE WITNESS: Then I left Lethborough to pursue further studies in the United States, and part of my duties there, in order to earn some compensation, was as an assistant track coach at Purdue University; this was in lieu of a graduate assistantship.

15 Then I went to the University of Wisconsin for my Ph.D., and subsequently came to work at McMaster University on the faculty there where I also coach track and field.

20 In 1972 I accepted the position of Technical Director of the Coaching Association of Canada, which at that stage, consisted of three staff members; an executive director, a secretary and myself. We were just beginning on the program.

25 Q. What was the reason of the formation of this precise body, the Coaching Association of Canada?

A. It was the result of one of the recommendations of the task force on sport for Canadians who, in their recommendations, said something needs to be done about coaching in Canada because, prior to that, it had been, to say the least, haphazard.

That's not to say there not had been coaching education of sorts, but it was very haphazard, very intermittent. There was no frame work. There was no guarantee of any continuity. No guarantee that a potential coach could see his or her way through the formal system.

And they, therefore, recommended that something should be done about coaching and a Coaches Association should be formed.

As a result, that a recommendation was put into place and the Coaching Association of Canada was formed in 1971.

Q. I see. Presently I understand this association has a Board of Directors?

A. Yes; 12 members.

Q. Twelve members. Four of them are representatives from Sport Canada?

A. They're representatives selected by the Federal Minister of Sport and this is largely in recognition of the fact that Sport Canada fund us very

substantially.

Q. The 8 others?

A. They are appointed for their knowledge of coaching, their wide ranging understanding of coaching problems and coaching programs. They may have representation from business. We try to produce a mix in our Board of Directors which will enable us to attend to the issues that we need to attend to in the furtherance of coaching education in this country.

THE COMMISSIONER: I'm going back, prior to your taking this job, you had about 20 years experience in in coaching.

THE DEPONENT: Yes, close to that, sir.

THE COMMISSIONER: Go ahead.

MR. PROULX:

Q. And just to end on this, you have a staff of 28 people now?

A. Yes.

Q. All right.

MR. PROULX: Mr. Commissioner, I have as a first exhibit, a document entitled, "Commission Statement" which I would like to mark as exhibit ---

THE COMMISSIONER: I think it's 71.

MR. PROULX: 71.

THE REGISTRAR: It will be 72.

THE COMMISSIONER: 72 or 71? Yes, I'm
sorry, it is '72. Mr. Black's report was '71.

THE REGISTRAR: That's correct.

5 THE COMMISSIONER: Thank you.

--- EXHIBIT NO. 72: Document entitled: Commission
Statement

10 THE COMMISSIONER: Sorry, Mr. Proulx.

MR. PROULX:

Q. Mr. Gowan, this document tells us about
the mission, the function of this association. Could you
15 please, maybe we should go through it and read it?

A. Yes, certainly. The mission statement
indicates that the Coaching Association of Canada is a
national organization dedicated to coaching development
and the profession of coaching for the purpose of
20 achieving excellence in all amateur sport by providing
program design and related information to assist in the
education of coaches at all levels within Canadian sport.

By providing leadership in the development
of coaching opportunities throughout Canadian sport.

25 By improving the acceptability of the

discipline and profession of coaching.

By promoting the appropriate growth in numbers and distribution of coaches in Canada to meet the evolving needs of amateur sport, and by providing an advisory and responsive leadership role in technical development, information resources and public image of Canadian sport.

That is our mission, sir, and this is what we try to develop our programs with respect to.

Q. Mr. Gowan, at this stage, maybe we should get from you a definition of what a coach is within your own terms and your objectives?

A. I would perhaps like to draw some distinction between what I would term an instructor and what I would term a coach.

An instructor, in my view, is one who has the narrower responsibilities of teaching physical skills. An instructor might teach a child how to dive, how to enter the water head first and so on, how to perform certain distinct type of drives and once that task had been achieved, then the responsibilities essentially would be over.

The coach is dealing with someone who has ambitions to enhance their individual performance in a competitive environment and therefore must account for

additional factors which may effect performance.

Therefore, lifestyle to a certain extent might be a concern; nutrition might be a concern; the psychological preparation of an athlete for competition, learning coping skills, determining what problems must be faced if an athlete has that travel through time zones, and on and on.

A great many variables, in fact, which a coach in order to enhance or assist in the enhancement of that athlete's performance, must try to tend to attend to, must try to control the variables that are controllable and must try to teach the athlete to cope with the variables that are not controllable.

For example, weather. An athlete must -- can't control the weather, clearly. If he finds himself competing in beautiful sunshine or pouring rain, he must try to adapt to either of those conditions and therefore he has to learn coping techniques.

And, so, it is much more comprehensive than the narrower realm of instruction.

Q. We will hear a lot from coaches or about coaches but when we refer to the state of dependence of the athlete towards his coach, at which level would you characterize this as a very important element of the relationship?

A. Well, I think particularly when that relationship begins, when we have the neophyte athlete associating with a relatively experienced coach, then the coach will tend to have most of the experience and most of the answers and will be much more directive in the sense that the coach is starting that young athlete out along that path and it make take he or she right up to Olympian heights or it may take them simply to recreational level where the main aim might be to learn skills and have some fun and enjoyment as a result of participation.

But, the coach, essentially, then has more of the answers, the athlete has fewer of the answers, and if we look at it like weights on a scale, the coach has moat of the weight and the athlete relatively little.

But, over time and assuming that particular partnership is sustained, the weights change. The athlete gains more and more experience, the coach obviously is continuing to gain experience because he or she has a responsibility to keep up-to-date with things. But the relationship does change.

And in my particular philosophy and in the philosophy that we try to introduce through the coaching education programs, one of the responsibilities of a good coach is to try a develop a high degree of self-reliance in that athlete.

Because, clearly, the coach cannot go out onto the track, cannot go into the pool and swim the race for the athlete, cannot even always be there. Therefore, one major task of the coach is to increase the amount of self-reliance and self-dependency in that athlete. So, that when we get to true international level, maybe even world record performance, that athlete is provided an enormous amount of feedback and information to the coach and the coach perhaps plays more of the role of a consultant and may not even need to be present as frequently as he or she was in the early days.

And that depends, of course, a great deal on the nature of the sport. Where there is a need for an extra pair of eyes to observe performance, where there is need for analysis of video film and so on, the coach clearly has a very, very important role.

In a sport, and I hope I don't offend the coaches concerned here, in the sport like marathon running where it's necessary to put in a lot of mileage, there is not the same need for the coach to accompany that athlete either on foot or in boat or bike or whatever, in his mileage routine, because it, after all, is a case of putting in the miles in order to development the endurance necessary for running 26 miles, 385 yards.

So, the relationships vary over time and

they vary from sport to sport, from discipline to discipline.

Q. Despite this movement towards more self-reliance on the part of the athlete, if we observe some models like in the United States and definite sport organizations like basketball at the level of colleges, for instance, how would you describe the relationship between the coach and the athletes?

A. Well, I think again, it varies and there is clearly some cultural influence here. And in some of the traditionally North American sports, I think we see a much more dominant coaching role.

If we take a sport that we'll probably all be very familiar with, at least this Sunday, the Superbowl and football, the coach plays a very, very dominant role in football. He tends to send in many of the plays, he makes strategical decisions as to when he's going to bring his field goal kicker on and so on.

The players are, more or less, repsonding to those tactical and strategical decisions and the coach, if you like, is somewhat like the general, directing the Army into warfare, as opposed to say, more free flowing sports; soccer and rugby/football would be two team game examples where the coach can be with the athletes, preparing them up until the time the referree's whistle blows, then the

athletes are left to themselves.

In a game like rugby/football, for example, the coach is not even allowed to discuss any change in tactics or strategies, even at half-time. In soccer, it is, because they go into the changing rooms. So, we see that different ---

THE COMMISSIONER: I don't want to be unfair, but watching that particular game, is there really a strategy to it?

THE WITNESS: I can assure you, sir, as a former rugby player, there is.

THE COMMISSIONER: I'm sorry. I didn't realize there is.

MR. PROULX:

Q. A few minutes earlier, you said that the coach has to be concerned with all factors which will effect the performance of his athlete. But is performance is the only pre-occupation in your philosophy or according to the program or the basics of the program which is given here in Canada?

A. No, certainly not, it's a very important component. Clearly if an athlete is engaged in competition and he's striving to excel and be the best that he or she can be, then performance is a very very

important criteria.

But it should not, in my judgment and I think in the educational programs that we certainly put out under the National Coaching Certification Program, it should not be described as the sole criteria for success.

To use a very hackneyed phrase, I think a coach has an important responsibility in preparing athletes not only for the skills of sport but for the skills of life, too, because an athlete's career in most sports is relatively short and if the focus is on sport, exclusive of all else, then sooner or later that athlete is faced with the harsh realities of returning to so-called normal life and therefore a coach has a responsibility to educate that athlete more broadly than simply achieving performance and I think a well-prepared and well-intentioned coach will concern himself or herself with that.

Q. Coming back to the general objectives and the function of the Coaching Association, I'd like to discuss now the development and implementation of coaching and the participation of your association in Canada.

And would that be fair to say that the main activity, I should say, is the implementation of what we call the National Coaching Certification Program?

A. Yes, that's correct. The National

Coaching Certification Program normally referred to as the NCCP is certainly the flagship of the association. It's truly is a national program with participation by the provinces, by the Federal Government in the forms of Sport Canada, by the Coaching Association and by the national sport organizations.

It is implemented throughout the country, all the provinces and the two territories and while it is the flagship, it is not our only program but it is undoubtedly the main program.

Q. Is it accurate to say that these courses are designed for three approaches: Number one, to provide technical information, specific to a sport; number two, to deal with coaching theory such as the role of coach, motivation, as you said?

A. Yes.

Q. And finally, to go in the field to apply the knowledge?

A. Yes, exactly. It's three compartments. The theory, as you said, deals much more with the participant, their reasons for being in sport.

The role of the coach; why the coach is involved with those participants. Some basic information about goal setting, about the basic sports psychology, exercise physiologist which relates to training, the

development of training program, et cetera.

In the sports specific or the technical, we learn much more details about the drills and skills of volleyball, soccer, tennis, synchronized swimming, or
5 whatever, some 65 sports in fact in all involved in the program.

Then the idea of the so-called practical component is to say, armed with the knowledge gained from the theory course and the knowledge gained from the
10 technical course, go forth and apply that knowledge to the coaching of your athletes.

Q. Just a briefly to show the different levels involved in the rating of teaching and learning, I'd like to refer you to this document.

15 THE COMMISSIONER: What?

MR. PROULX: This document.

THE COMMISSIONER: You have given a description, to it, have you?

Q. Which is -- which I can describe the certification process --

A. Could be described as sort of the NCCP model.

5 Q. NCCP model?

A. Yes.

MR. PROULX: Which I would like to mark as Exhibit 73.

THE REGISTRAR: 73.

10

--- EXHIBIT NO. 73: NCCP Model.

MR. PROULX:

Q. So, if we start at level one, Mr.
15 Gowan, level one, two, and three are for coaches of developing athletes where the highest levels are the -- higher levels -- I am sorry, four and five are for coaches of elite and high performance athletes?

A. Correct. That's the general scheme
20 that the levels which are one two and three primarily volunteer coaches are concerned with initiating the sporting experience to younger athletes, what we have termed here developing athletes. And then at the higher levels, levels four and five, we are dealing with the
25 programs for training of coaches who will be dealing with

our high performance athletes many of course will go on to represent the nation in the Olympic Games, World Championships, Commonwealth Games, Pan-American games, and so on.

5 Q. If we just try for the sake of your budget to try to know how the monies are allocated to this program, what are we talking about exactly?

A. Well, the Association has a budget of approximately \$3.6 million annually.

10 THE COMMISSIONER: That's for your Association, that's the Coaches Association?

THE WITNESS: Yes.

THE COMMISSIONER: But then?

15 THE WITNESS: And that is the total association budget.

MR. PROULX: No, I mean for the program that we are talking about here.

THE COMMISSIONER: What program is this?

20 MR. PROULX: This program what we call the NCCP?

THE WITNESS: Yes.

MR. PROULX: The National Coaching Certification Program. So, for the implementation of this program throughout the country --

25 THE WITNESS: I am just looking at my notes

to find the budget which I cannot find.

THE COMMISSIONER: Is this for teaching?

THE WITNESS: It is for two factors, sir.

First of all, for the development of the --

5 THE COMMISSIONER: The cost for running your association; that's one cost, obviously?

THE WITNESS: Yes.

THE COMMISSIONER: You have got a big staff. Your total budget is how much?

10 THE WITNESS: \$3.6 million.

THE COMMISSIONER: And then out of that, you have the administrative costs plus the cost of instructing the coaches. Is that what we are talking about?

15 THE WITNESS: Yes. It's the cost of providing grants to the sports for them to run meetings, to develop content material for the coaching levels, to produce manuals, audio visual aids, course conducts --

THE COMMISSIONER: If the Sports Federation has hired a coach, like basketball?

20 THE WITNESS: Yes.

THE COMMISSIONER: Does that money come out of your -- you don't pay for that?

25 THE WITNESS: No, sir, it does not. In that case if the national coach, in the example you have cited, basketball, is appointed by the basketball

association, the funding from that comes from the Sport
Canada, the Federal Government.

THE COMMISSIONER: I see. I am just trying
to find out what Mr. Proulx was --

5 THE WITNESS: We do not pay any coaches'
salaries.

THE COMMISSIONER: So, what you are talking
about is the cost of your instructional program?

10 THE WITNESS: Yes, the cost of developing
the different levels both at theory and sport specific.

THE COMMISSIONER: I see.

15 THE WITNESS: Some of which we give in the
form of grants to the different sport bodies in order to
develop the sport specific content. I am sorry, sir, I
haven't --

THE COMMISSIONER: Well, I interrupted, I am
sorry. We are looking for an amount of money, I am trying
to find what it is for, though.

MR. PROULX:

20 Q. I just, Mr. Commissioner, the purpose
of my question is to establish the monies which are
allocated to the implementation of this special program.
And I suggest it is in the vicinity of \$2 million --

A. Oh, it certainly -- yes.

25 Q. -- of your \$3 million budget, around \$2

million are spent for the implementation of this special program?

A. The development and implementation, yes. And that, of course, ignores totally the
5 considerable sums of money that the provinces expend in the implementation of the lower three levels of this program and theory and technical. So it's much more money than appears in our budget.

Q. That's right. Referring to the
10 provinces, I think it's appropriate at this stage to refer you, and Mr. Commissioner, and I would like to refer you to this document entitled Sport Agencies Involved in the National Coaching Certification Program.

THE COMMISSIONER: Have we finished with
15 Exhibit 73.

MR. PROULX: Yes.

THE COMMISSIONER: Perhaps can I just ask the question on this model, did I understand you to say that one, two, and three are provincially funded?

20 THE WITNESS: One, two and three are implemented by the provinces, they are developed at a national level and the provinces implement both the theory and the sport specific problems for the lower three levels.

25 THE COMMISSIONER: And then the rest is

really directly done by you?

THE WITNESS: Yes. By --national level
either by the national sport organizations or by
ourselves.

5 THE COMMISSIONER: Thank you. Now, we are
turning to the next exhibit, which will be Exhibit 374.

THE REGISTRAR: 74.

10 --- EXHIBIT NO. 74: Document entitled to "Sport Agencies
Involved in the National
Certification Program"

MR. PROULX:

15 Q. And perhaps here could tell us about
the extent to which this program is being developed and
implemented by the sport agencies. So, I am sorry, we
would go first with this Exhibit 74 which describes us the
sport agencies, right, involved in the program?

20 A. Yes, it's the makeup of the National
Coaching Certification Council. And as you see from this
exhibit, the National Coaching Certification Council is
the policy-making and co-ordinating body of the National
Coaching Certification Program. Just to indicate the
25 players in this, we see on this chart on the left Sport
Canada.

Q. Yes.

A. That's the agency responsible for sport, and the agency which funds us, and, of course, the sport bodies as well. They have two representatives on the National Coaching Certification Council.

We have the Coaching Association of Canada, and we have two members on that Council. The Provincial Territorial Government Sport and Recreation Departments, they have five representatives. And they represent the rest of the provinces and territories.

Then we have the national sport organizations and their five representatives represent some of the 60 sport bodies that are housed in the National Sport and Fitness Administration Center.

And then, of course, the national sport organizations relate to their provincial sport counterparts.

So, we truly have a national network involved. And they are all sitting at the table and therefore the program doesn't belong to any single group. It belongs to all of us who are members of the National Coaching Certification Council. And that I think is one of the main reasons why the program is working because I think, sir, that this sort of combination is rarely found in Canada and when it is found, it's rarely found to work.

In this case it does.

Q. At the risk of repetition, these courses are offered throughout the country?

A. Yes.

5 Q. And they are taught by course conductors who are trained specially by people selected by the Coaching Association?

A. By people selected as the Coaching Association in the sense of the provinces selecting
10 persons to come in for what is known as Master Course Conducted Training. They then go back to it their respective provinces and they have a responsibility for training a sufficient number of course conductors to implement the program in that province.

15 So, clearly a province like Ontario needs many more course conductors than a province like Prince Edward Island for obvious reasons of population.

In the case of the national sport bodies teaching the sport specific or the technical component,
20 the same principle applies. There are Master Course Conductors, depending upon the size of the sport, they will need to train additional course conductors to teach these courses.

I think this is perhaps one of the strengths
25 of the Canadian program in the sense that we identified

early on the importance of having specially trained course
conductors so that a fairly standard message is delivered
across the country. The individual who takes his level
one course in St. John's, Newfoundland, is getting
5 essentially the same course as the individual who takes
the level one course in Victoria.

Q. Now, in the next document I would like
you to talk about the extent to which this program has
been developed and implemented by the sport organizations.

10 And Mr. Commissioner, this is a document of
two pages, entitled NCCP Approved Technical Programs.

THE COMMISSIONER: Thank you.

THE WITNESS: And I think --

15 MR. PROULX: Which is, I am sorry, which I
will mark as exhibit 75.

THE REGISTRAR: 75.

--- EXHIBIT NO. 75: Document entitled "NCCP Approved
Technical Programs"

20 THE COMMISSIONER: Okay. Mr. Gowan, you
were saying something?

THE WITNESS: Yes, I think, sir, the first
page starts with archery at the top. And what we see
25 going across the page are the different levels. And where

we see a cross in that particular box, it means that that level have been developed by the sport. So, in archery's example, there are four levels. If we move further down--

THE COMMISSIONER: I am sorry, for coaching
5 levels?

THE WITNESS: Yes, level one, two, three
and four.

THE COMMISSIONER: At archery we have some
coaches who are at level one, is that this one, two, three
10 and four I am looking at here?

THE WITNESS: That's correct.

THE COMMISSIONER: So we have some actually
who are level four archery coaches?

THE WITNESS: Yes, but most importantly
15 means that there are four levels of coaching education
available to potential archery coaches.

THE COMMISSIONER: I see.

THE WITNESS: If we just go down the
columns a little way, you will see some letters there, one
20 being the letter "D" and that means that that sport is
presently developing that level.

THE COMMISSIONER: Basketball?

THE WITNESS: Yes.

And then you will also see a letter "P", and
25 that means that the level is developed, but it is being

piloted. In other words, it's being tested to iron out any and anomalies that may be discovered as a result of putting it in the field.

So, those are the main interpretation of the letters. Where we see a cross, it means the level is being developed and is being taught across the country as required.

Where we see the letter "D" it is being developed, where we see the letter "P" it has been developed, and it is just being fine tuned as a result of piloting.

THE COMMISSIONER: Does that mean we have no level 5 coaches in Canada?

THE WITNESS: We only have one level five course at the moment, and that is being piloted and is pretty well completed in it's piloting, and that is soccer, which is on page 2, which has long been at the forefront at the rate of the development of the coaching certification program.

THE COMMISSIONER: I am puzzled on track and field, which is so large in Canada, we only have -- coaches are certified for level one and level two; is that right?

THE WITNESS: Well --

THE COMMISSIONER: Maybe I am misreading

this.

THE WITNESS: If you look down track and field, you will see track and field is broken down into its disciplines, the four major groups being jumps, throws, sprints, hurdles, and distances; and a fifth, of course, being the multiple event heptathlon and decathlon.

And as you will see there when track and field get to level 3, they break down into these sub groups and therefore the jumps are being developed, the throws are being developed the sprints and hurdles and distance are being piloted and the walks and the multiple events are being developed.

THE COMMISSIONER: I see.

THE WITNESS: It is true to say, however, if I am allowed to introduce this editorial, that I think track and field could have made greater progress through this program than is indicated here. There is a massive information available on coaching in track and field throughout the world.

THE COMMISSIONER: I understand this. Your program is to certify coaches up to a certain level; is that right?

THE WITNESS: That is correct.

THE COMMISSIONER: And these are the special sporting type of competition?

THE WITNESS: No, this really gives us a state-of-the-art, a progress report on how the sports are moving through the certification levels.

THE COMMISSIONER: I understand that.

5 THE WITNESS: Our aim obviously is to get all these boxes filled with crosses.

THE COMMISSIONER: Filled in. So, eventually, we will have them all filled in?

THE WITNESS: That's correct.

10 THE COMMISSIONER: With X's instead of D's and P's?

THE WITNESS: Yes.

MR. PROULX:

Q. I think it's fair to say, Mr. Gowan,
15 that while the CAC has this program, you have no authority to force people to become qualified under this program which means that presently in some disciplines we might have coaches which are considered of level four or five but who did not proceed through program?

20 A. Yes. There is no national legislation which says that in order to coach you must have taken courses in the National Coaching Certification Program.

In fact, there is some degree of piecemeal legislation occurring, I am personally delighted to say,
25 where some municipalities say in order for you to coach in

the objectives under one of the goals which is to do with
legislation is that all head coaches, and these are
obviously salaried coaches paid for through the sport
bodies, funded by Sport Canada, shall be at level 4 by
5 1990.

So, in that sense it's an attempt at
legislation where you have the advantage of having a lever
which relates to the salaries being paid to these coaches.

THE COMMISSIONER: All right.

10 MR. PROULX:

Q. Could you tell us the number or do you
have a good estimate of the number of those who have taken
courses within this program?

A. Yes, we have a national coaching data
15 base and to date some 250,000 coaches have taken at least
one course in the National Coaching Certification Program.

However, I would not wish to mislead you
with that figure. That is an indication of those who have
actually taken one or more courses. That does not say
20 that that 250,000 are all still coaching. Some may have
moved from an area, many who go through coaching programs
because their own children are going through a certain
phase and they become involved as a coach and perhaps take
a level one course in order today learn more about that
25 particular sport in which their child is involved, sports

like softball, baseball, soccer are typical examples of that. Having seen their child go through that phase and maybe go on to higher levels, they usually drop out. In some cases they stay on because they have enjoyed the experience and become committed and go on to higher levels. But that 250,000 would be misleading if we gave the impression they are all still coaching.

However, it has been variously estimated that there may be as many as some 400,000 persons within Canada who may call themselves a coach because they associate with children particularly engaged in sport, and offer them coaching advice but may not necessarily have availed themselves of one of the programs within the National Coaching Certification Program.

Q. In this population of those who have taken courses, how many do you think are active coaches now, volunteer for instance?

A. Yes, conservatively I would think of that 250,000 who have been entered on the to the data base, there are at least 150,000 still active.

Q. Now, when we wonder how many of those could be full-time coaches presently, do you have any data?

A. Yes, I do. It is not as accurate as I would like simply because we do not have a requirement for

coaches to be registered in this country. But I do have reasonably accurate figures. If we look at national coaches, and these are full-time salaried coaches.

Q. Yes.

5 A. The figure that's --

Q. Full time by their respective sport organization?

A. Yes. So, it might be the basketball coach, it might be the swimming coach, et cetera.

10 Somewhere between 60 and 70 coaches would be full time.

THE COMMISSIONER: 60 or 70.

THE WITNESS: Yes. And that is at national level, sir.

MR. PROULX:

15 Q. All right.

A. For provincial coaches full time, approximately 50. For club coaches full time, and I refer to club coaches largely in sports such as figure skating, gymnastics, tennis, swimming, equestrian where the tradition in this country has been much more towards the payment of coaches for their services in those sports because in many cases the participants pay fees either by the hour or by the session or whatever it happens to be. We would estimate there some 800 club coaches.

25 Q. I see.

A. Then the fourth and final category which we have described as part-time coaches, and this would vary considerably, it might mean that 50 percent of their time is involved in coaching or 25 percent or they might get an honorarium which might range from just a couple of thousand a year for their services up to slightly higher figures. It might be people involved in summer jobs, it might be someone teaching six hours a week as a learn-to-dive instructor. So that part-time coaching group might number as many as 2,000.

But I think just in closing my comments on that, sir, it would be very important to appreciate that as I go down these levels running from the national coaches at the top to the part-time coaches at the bottom, the definition of a coach becomes looser and looser. It is not the definition that I offered at first. They may be closer to instructors with a narrower realm of responsibility in the part time area than certainly would be the case at the top with the national coaches.

THE COMMISSIONER: I am somewhat puzzled. I thought you said of the 250,000 who sort of had some training under your plan, 150,000 were still active?

THE WITNESS: Yes.

THE COMMISSIONER: When we talk about national coaches, I have only -- I have got 60 people you

are talking about?

THE WITNESS: Yes. These numbers, sir, that I have just offered you, part of that 350,000 and they are the ones who are getting some form of renumeration for their involvement. All the others would be true volunteers in the sense that they are doing it for the love of sport.

THE COMMISSIONER: I am sorry, these are what you might call professional coaches?

THE WITNESS: Yes.

THE COMMISSIONER: I see, but the others, in other words, we have another 149,000-odd people who are actually engaged in coaching activities of some sort in Canada?

THE WITNESS: Yes.

THE COMMISSIONER: Who have had some experience with your certification program?

THE WITNESS: Precisely.

THE COMMISSIONER: Thank you.

MR. PROULX:

Q. As a good synthesis of the program, of the mandate of your association, I think it would be useful to produce as an exhibit this paper which is entitled the Canadian Approach to the Training of Coaches, Matching the Paradigm, which you have prepared in 1986.

And I would like to mark as Exhibit 76.

THE REGISTRAR: 76.

THE COMMISSIONER: Thank you.

5

--- EXHIBIT NO. 76: Document entitled "Canadian Approach
to the Training of Coaches, Matching
the Paradigm"

10

MR. PROULX:

Q. Now, Mr. Gowan, when a coach has
finished with the level of his choice, is that it for him,
or is there --

15

THE COMMISSIONER: Excuse me, are you
making any further reference to this?

MR. PROULX: No, we won't, Mr.
Commissioner.

THE COMMISSIONER: If I may ask the witness
what this is about.

20

MR. PROULX: I will tell you, I said as a
good synthesis of the mandate of the association and also
of the program, the evolution of the program, I think it
would be useful for the Commission to have this document.

25

THE COMMISSIONER: In other words, it sets
out in some detail the matters you have already covered

with the witness.

MR. PROULX: That's right, in a more extensive way.

THE WITNESS: If I might just add one quick
5 comment, sir. We were invited to present this at the Commonwealth Conference on Physical Education in Sport in Glasgow in 1986 along with a presentation from Great Britain and Australia to show in the Commonwealth terms what sort of a coaching program Canada had been developing
10 because it is held in quite high esteem in several other parts of the world. And therefore this pretty well describes the development, the present status, and a little bit of future gazing.

THE COMMISSIONER: All right. Thank you
15 Mr. Proulx.

MR. PROULX: Thank you, Mr. Commissioner.

Q. I was just asking you if you can tell us of what happens to this coach who has finished with the level of his choice, is there a possibility of upgrading?

20 A. Yes, we think it's very important that a coach doesn't ever stop learning. There is always new information, there is new information becoming available because the knowledge explosion is so enormous the volume is tremendous and the rate of change is great. And
25 therefore it's important that if a coach decides he or she

has reached a certain level, it's important to keep abreast of things to keep up to date.

We presently do not have a formal upgrading program in place simply because we have been too busy
5 developing the original program and revising it from time to time, but we do have some informal upgrading programs in place at the lower level. At the volunteer level, we have community coaching conferences which we organize in conjunction with different local communities. We produce
10 booklets which we call Focus Booklets which deal with topics which are deemed to be of value to the volunteer coach.

At the higher levels, we have special education programs for higher level coaches. We have an
15 annual coaches seminar. We have the publication of a sport document so-called because it deals with topics related to high performance coaches and is published monthly.

So, we are conscious of the need to
20 constantly try to keep our coaches abreast of information.

When the program is fully developed, we will start to go into a more formal upgrading system. And if you refer briefly to the model again, you will see on the right-hand side of that model a heading which says --

25 Q. Which is?

A. -- updating process.

Q. I am sorry?

A. This is the NCCP model.

Q. Exhibit 73.

5

A. Right. On the right-hand side of that model you will see a column which is headed updating process, where there will be credit systems developed in order that we might enable coaches to keep up to date with relevant information.

10

Q. Mr. Gowan, I understand that you had the occasion to visit East Germany and the Soviet Union and meet with coaching representatives in each of these countries. How would you describe their approach of this issue here?

15

A. Very, very highly committed. We went on two study tours. The first one to the --

THE COMMISSIONER: The issuing being what, Mr. Proulx?

MR. PROULX: Of upgrading the coaches.

20

THE WITNESS: We went on the first study tour about three years ago to the German Democratic Republic on an official inter-government exchange arranged initially by Sport Canada. And then approximately one year ago we were in the Soviet Union where we visited Moscow, Minsk, and Kiev to look at their coaching

25

programs. And we found a very open and willing exchange
of information, a willingness particularly by the Soviets
to allow us to speak to their coaches and see their
programs in action. And I would characterize it by a
5 very, very high commitment to the importance of
well-trained coaches.

When we were in Leipzig in the German
Democratic Republic, for example, which is their main
training center for their coaches, the Vice Dean of
10 Leipzig, Herr Rogalski, in response to our question "how
important are coaches in the German system", said we rely
on our coaches to keep us at the leading edge of
international sport.

And they required their full-time coaches,
15 some 4,000 of them, all of whom are Leipzig-trained with a
four-year basic education course in coaching, to come back
every quadrennial, every Olympic quadrennial for
retraining. The rationale behind that is exactly the
comments that I made earlier that there is such a
20 knowledge explosion, there is such an enormous volume of
knowledge coming on the market that if they don't bring
their coaches back regularly for upgrading they fall
behind the cutting edge. So, they consider it to be so
important that they require all their top coaches to come
25 back at least twice every quadrennial for intensive

upgrading courses.

And a similar process occurs in the Soviet Union.

MR. PROULX: Mr. Commissioner, I just have a few minutes with the witness, would you like to adjourn now or would you like me to --

THE COMMISSIONER: If it's a few minutes we can finish now then we will have our break.

MR. PROULX:

Q. I understand that the Coaching Association has some relations with other organizations within the sport community, with the SMCC, the Sport Medicine Council of Canada. I understand one of your members sits on that board?

A. Yes, that is correct, one of my Vice President of Technical actually sits on the Sport Medicine Council of Canada Board. We have used Sport Medicine Council of Canada representatives from time to time to present information on performance enhancing substances, anabolic steroids.

They have normally been incorporated in into our annual National Coaches Seminar where top 250 coaches in the country assemble for three-and-a-half days under one roof. And we have that sort of relationship because we believe that there is need to relate to different

organizations with their expertise being brought in to help us to educate coaches.

Q. What about the Commission for Fair Play?

5 A. Yes, I personally sit on that Commission. I think it's a very, very important Commission. As was stated earlier on it was originally brought together because of the violence in hockey. The determination was made that a much more positive approach
10 would be to look at fair play in sportsmanship because if you are playing fair in a sportsman-like manner, the chances of reducing and eliminating of violence obviously are enhanced.

Similarly, I think the Fair Play Commission
15 has a very, very important role to play in this particular area of the taking of performance enhancing substances which clearly represents cheating which clearly is not condoned by any Commission which is trying to further fair play and sportsmanship.

20 We incorporate some of that information in the role of the coach segments of our coaching theory programs.

Q. I understand you have a constant
relationship with the different national sporting
25 organizations?

A. Yes, we have six so-called coaching consultants on our staff, each of whom have responsibilities for certain sports. And they work with those sports on the development of their particular coaching content at whatever level is being developed by that sport at the time.

Q. Now, finally, there was an organization which was recently formed called the Canadian Association of National Coaches. Could you just describe to us the purpose and the members, who are the members of this association?

A. Yes. This Association as its title suggests comprises of Canadian national coaches. And they got together certainly with our blessing and we have very close relationships with them, the President, Andy Higgins from the University of Toronto track club, high performance centre, and myself are in frequent communication.

Their main concern I think was the fact that as national coaches, they sought a forum where they could exchange views not necessarily related to the content of the enhancement of the performance by athletes but more in their work-a-day world of terms and conditions of employment, coaching contracts, salaries, and so on, if you like a form of unionization though not in any negative

sense of trying to ban together in a militant way but as an opportunity to share experiences because as you perhaps appreciate in a country as vast as ours, and with the national coaches literally travelling all over the world, they have very, very few occasions in which they get together. In fact, the most common and valuable occasion for them is at our national coaches seminar which is held every year in October.

So, in order to try to formalize that a little more, they have formed the Canadian Association of National Coaches. They had initially as few as 12 members. At the last national coaches seminar held in Quebec City this November, they had a increase in membership to approximately 45. And it was at this annual general meeting that they addressed the problems of performance enhancing substances and came out with a position statement that as a group of Canadian Association of National Coaches, they do not condone the use of performance enhancing substances as coaches.

MR. PROULX: Well, that will be all, and I thank you, Mr. Gowan.

THE COURT: All right. We will adjourn now for our morning break.

--- Whereupon hearing adjourned for morning break.

THE COMMISSIONER: Any questions of Dr.
Gowan? Mr. Barber.

MR. BARBER:

5 Q. Mr. Gowan, I represent the Sport
Medicine Council of Canada.

Do I understand correctly, sir, that the
issue of doping and performance enhancing practices is
introduced to the coaching certification program at level
10 three?

A. It's introduced on a more formal level at
level three. I think one thing that was not covered in my
earlier testimony was that we are just now in the final
stages of revising the theory levels, levels one, two and
15 three.

And we have in level one and level two, a
considerable amount of time devoted to what is known as
the role of the coach, at which time one of the
subtargets, if I can use that term, is to understand the
20 fair play philosophy of coaching.

That is emphasized quite heavily in
conjunction with the Fair Play Commission and clearly, as
I said earlier on, when you discuss things like that you
must inevidently bring in the unfair use of performance
25 enhancing substances.

But, on a more specific level, we begin at level three which incidentally is still in the process of revision. Levels one and two are finished. Level three is in the advanced stages of revision.

5 And so I refer to the proposed content of the new level three and, in section 1, one of the subobjectives is to understand morals, values and ethics in sport, fair play code, winning, drugs, ergogenic aids, cheating. This is in a program that will be launched this
10 August.

Q. That is level three?

A. That is a level three. That is section one. And then, in section two of the revised or the proposed revised level three, one subsection of section
15 two is to examine special nutritional concerns and to discuss weight gain and loss, special diets, eating disorders, protein supplements, steroids, amino-acids, et cetera.

So, it's already contained in the existing
20 level three which is in the process of revision and it will be included in more specific detail in the new level three. It is touched upon also and addressed in the role of the coach segments of the revised levels one and two under the heading of fair play and sportsmanship.

25 Q. So I take it -- sorry.

THE COMMISSIONER: Is that a proposed curriculum, is that?

THE WITNESS: Yes, I'm quite happy that this be left here.

5 THE COMMISSIONER: We may have that?

THE WITNESS: Yes.

MR. BARBER: Should it be marked as an exhibit, Mr. Commissioner?

10 THE COMMISSIONER: Yes, please. I'd like to see it. The number please?

THE REGISTRAR: It will be number 77.

THE COMMISSIONER: Thank you.

--- EXHIBIT NO. 77: Proposed curriculum

15

MR. BARBER:

Q. So then the issue is touched upon at level one and level two?

A. Yes.

20 Q. Level one and level two coaches, as a general observation, are those dealing with athletes at an entry level, is that correct?

A. Yes. They deal with beginner athletes, as we call them, the developmental group.

25 Q. In view of the literature which would

seem to suggest that perhaps drug abuse is an issue at younger ages than we had previously thought, will consideration be given to expanding upon the topic within the level one and level two training?

5 A. Yes, I certainly think consideration can be given to this and, in addition, there can be supplementary information provided in the form of the focus booklets that I described earlier which are special topics booklets which we produce and publish and they
10 could be become part of the level one and level two coaches kit when he or she turns up for a course.

 Q. Have you been assisted in developing that material by the Sport Medicine Council of Canada?

15 A. Whenever we develop material of that nature, we have them vet it as to the accuracy of its content.

 Q. And they have assisted you in developing it?

 A. Yes.

20 MR. BARBER: Thank you, sir.

 THE COMMISSIONER: Any other questions?

 EXAMINED BY THE COMMISSIONER:

25 Q. Mr. Gowan, I would like to pursue that matter and discuss the role of the coach in doping control issues, if I might.

Can I just go back a bit to understand, national sport organizations are free to hire whatever coaches they want at the moment I understand?

A. Yes.

5 Q. And they are eventually funded by Sports Canada. So the government, in a sense, is paying the coach through the Sports Federation. But they may not be certified, is that right?

A. At the moment they need not be.

10 Q. All right. Now, does the certification accomplishment aid the coach in the remuneration issues? Does he get more money normally or is that ---

A. Not at this point. There is no extra increment or any incentive of that nature at this point.
15 But I think it's fair to point out that, particularly with reference that I made to the legislation requiring head national coaches to be at level four by 1990, this perhaps is an indication of the trend.

20 Q. They can't achieve level four without certification. That's the certification level?

A. That's the certification level. What we are doing clearly there is pushing the legislation for salaried coaches and particularly those employed by the national sport organizations and in turn funded by Sport
25 Canada to begin to put more pressure on having qualified

coaches in these positions.

Q. But are any of the coaches in national sport organizations certified?

5 A. Yes, some of them are already certified where their sports have made sufficient progress for level four to be available.

Q. And can you de-certify anybody, or do you have any disciplinary powers?

10 A. No, we don't have any control in that sense. The decision to de-certify, as you say, a coach would be one by the national sport governing body who are presently the coaches' employers.

15 Q. Do I understand to you say that you are a representative on the Sport Medicine Council of Canada, is that right?

A. We have a member on the Sport Medicine Council Board, yes.

Q. You're familiar with the issues then?

A. Yes, certainly.

20 Q. And I guess you are aware that under the Sports Update Policy of Sports Canada, every carded athlete must contract with his sports operation not to use or be in possession of a prohibitive drugs?

A. Yes.

25 Q. And also that every coach must enter

into a broader commitment. I'm not encouraging -- discouraging the use of drugs and so forth and the use of anabolic steroids.

Now, the athlete signs his contract and he
5 wouldn't know what is or is not a banned substance. And I take it that then that that information invariably comes from the coach, I guess, wouldn't it?

A. It would come from the coach receiving information and an updated list periodically from the
10 Sport Medicine Council as certain substances are added.

Q. In your trade program, do you instruct your coaches as to what banned substances are and what their duties are, apart from the contractual duty, the duty of the sportsmanship and so forth and fair play?

A. We place much more emphasis upon
15 sportsmanship ethics and fair play than on the precise details of the current listing of the banned substances which are available to the coach via the sport bodies from information distributed by the Sport Medicine Council.

20 So the precise details are, in fact, missing in our relationship.

Q. Are they included in your new program?
I don't notice it. No disrespect. These are general instructions.

25 A. Yes, right.

Q. And they're quite pious but are they more specific than that?

A. Yes, it goes into more specific details in the actual content of the module being delivered in the coaching course and as I indicated earlier, we have from
5 time-to-time, particularly through the vehicle of our National Coaches Seminar, had either panel sessions or direct lecture session, frequently resulting in publications -- Dr. Andrew Pipe wrote one for us in sports
10 called, something like, Athletes Performance, Chemistry or Coaching, which addressed in writing ---

Q. We have that?

A. We have that. And we've had some others on anabolic steroids and we've had members of the
15 Sport Medicine Council conducting panel sessions at which coaches were present at the national coaching seminar to address this issue and to look at the details on the form of anabolic steroids or the type of performance enhancing substances and what they will do.

Q. Now with high performance athletes, the coach is almost like a member of the family to the athlete, I would think?

A. Yes.

Q. And sees them daily.

A. Yes.

Q. And he would be in a position to observe any changes in the athlete which are exhibited in his daily routine?

5 A. He would be by far in the best position to observe these.

Q. So if anabolic steroids have -- could contribute to several apparent physical changes, like mood changes or acne or bloodshot eyes or unusual muscle development, the one to observe that more readily than anybody else would be the coach?

10 A. Without question.

Q. And are your coaches trained to inquire -- I'm going to assume for these purposes, an athlete is taking this substance without the knowledge of the coach? The coach knows that he's not going to -- I'm not going to imply die obviously, but are they trained to observe their athletes? You know, you and I can observe mood changes very easily and rather fast muscle development or changes in one's skin and so forth.

15 A. It's perhaps difficult to ascertain to what extent they're trained and to what extent they're skilled at observing those changes.

Q. Or to what extent they've been exorted to do so?

25 A. I think there is been an increasing

exhortation to do so over the years and clearly there will be a marked increase in that as a result of this Inquiry.

Q. As a member of the Sport Medicine Council of Canada, are you the representative.

5 A. No, I'm not.

Q. But are doping violations, do they come to your attention?

10 A. Not precisely to our attention in the sense that, as I said earlier, we're not the employers of any given coaching, in any given sport.

Q. Your president would be present?

A. Yes, and we would learn of them as a result of them being discussed.

Q. You get these results.

15 A. Yes.

Q. Well, as the head of this association would you ever call in a coach and say, well, I see one of your athletes, male or female, has had a positive finding, what happened? You know, what did you do about it or did you notice anything unusual?

20

THE WITNESS: No, we have not done that and partly it's really a mandate problem in the sense that we do not employ these coaches and therefore have no direct control over them. We have an indirect link in the sense of running programs, which they may attend in order to

25

enhance their knowledge and become better coaches.

But, we don't have any jurisdiction over their coaching performance, over their terms and conditions of employment and over their general control.

5 Q. I'm not suggesting this, but would the -- if I'm going through your program, are you concerned about the credibility of the -- the integrity of the people that are going through the coaching system?

10 I'm not suggesting any of them have any different reputation. Is it just pure technical skill or are you concerned about the leadership qualities that they could give to their athletes?

15 A. No, we're very concerned about the leadership qualities and, in fact, I think the topics that we have covered over the years in the various programs that are offered to these high performance coaches certainly transcend the narrower areas of simple, technical enhancement leading to improved performance.

20 We have a module in the national coaches seminar, it's one of the requirements of the 20 tasks which a level four or five coach must complete before they are accredited with being level four or five which is a specific leadership module. It is a very important component because particularly, at that level when a coach
25 is not only coaching a group of athletes, it may have the

responsibility of taking international teams overseas and competing in high level international competitions.

He needs to have many more skills than the narrower skills of simply making sure that an athlete's body is in the right position or making sure an athlete has the strength to jump a long way. He has to involve himself in those leadership qualities and to learn to become a better leader so we account for these sorts of things in the selection of the modules.

Q. And instill those qualities in the athlete, as well?

A. Yes.

Q. I'm not suggesting that it would be appropriate, if all sports organizations can only hire coaches who were certified somehow, who gives the certifications? Is it your association or a bigger body that does it?

A. It's the actually sport body determine when a coach has completed their requirements at level four and we work with that sport body in determining the precise nature of those requirements and what the actual task completion and evaluation procedures will be.

Q. So, that if -- I'm not suggesting this but if all -- looking at your role, because I don't say this -- I'm very impressed obviously with your dedication

and your great experience but you really -- if something goes wrong, you have got no jurisdiction to inquire into it?

A. Yes, and it is frustrating, sir.

5 Q. Well...but if all coaches and national sport organizations funded by Sport Canada can only hire coaches which were certified or had the equivalency which you can see, he doesn't have to go through our program, he's already a grade five, qualified person; then your
10 association would have some discipline over these people and some authority to investigate and look into it? Would that be a useful step in the doping control?

A. I think it would be a very desirable step, indeed.

15 Q. It's going to build up your association.

A. Well, naturally I'm somewhat bias, but I think ignoring that for a moment, it certainly would be a step in the right direction. We have been quietly
20 pushing for increased legislation but it is a very sensitive subject.

Q. I know you spoke about East Germany. I gather all those coaches are funded by the government, are they?

25 A. Yes, they are.

Q. Therefore, I take it their sports organization can only hire these people?

A. Yes. The only persons who are given the name of coach in the German Democratic Republic are graduates of Livesy. No one else is allowed to be known as a coach.

Q. No one can be a coach of a national sport organization.

A. They would not be employed.

Q. What about Russia?

A. Soviet Union, they have a similar four years basic training course in one institute of physical culture they are full-time coaches in huge numbers. As an example, 17,000 full-time coaches in track and field alone.

Q. All right. The United States could be quite different, I gather?

A. Quite different largely because of the high school and collegiate system where you have high school teachers are employed as coaches and collegiate system, of course, where they have large numbers of coaches. Not normally as well trained as their Soviet and Eastern German counterparts.

Q. But, the upstream of athletes in the United States really goes to high school/college levels

before they get a national team, is that right?

A. Yes, and it's partly because of the intensive competitive structure within the high school and college level and their enormous talent pool that they produce the outstanding athletes that they do.

THE COMMISSIONER: All right. Thank you very much.

THE WITNESS: Thank you, sir.

THE COMMISSIONER: Thank you. Give me a minute, Mr. Armstrong. Very well, Mr. Armstrong.

MR. ARMSTRONG: Thank you, Mr. Commissioner. Our next witness is Mr. Ken Read. Mr. Read, please?

KENNETH JOHN READ: Sworn

THE COMMISSIONER: Who is this witness, Mr. Armstrong? I've never heard of him.

MR. ARMSTRONG: Well, I was worried about that, since your athletic endeavors are confined to a week or two in the summer on the tennis courts. So I'm going to take a little time with Mr. Read to tell you that there are other athletic endeavors outside of the tennis court.

Mr. Read, indeed apart from the Commissioner, there probably is no one else in the room who doesn't know who you are but I thought it would be helpful to us to get some of your background, to put your

evidence in context to see the position from which you speak and will speak on the issues that concern us and, just going over your background, you indeed were born in Ann Harbour, Michigan, at a time that your father was training in his early medical career at Ann Harbour, is that so?

A. That's correct.

Q. And then you moved to Vancouver, where you were for five years while your father again was at UBC; then to Kingston for six years, and then finally back to the west and settled in Calgary in 1968 where you have called home since that time?

A. That's correct.

Q. All right. Now, looking at your skiing career, you began skiing at the age of 3, apparently at the urging of your mother who in 1948 was a Canadian champion and indeed an alternate member of the Olympic ski team for Canada in the 1948 Olympics?

A. Again, correct.

Q. And then you began competitive skiing at the old age of 8 and your European competitive career, in fact, began at the ages of 16, 17 when you were living in a village between Geneva and Lausanne and, again when your father was on a sabbatical year in respect of his academic medical career?

A. Correct.

Q. During that period of time, as I understand it, you competed at the International B level as kind of an ad hoc member of the Canadian National Team?

5 A. A floating Canadian abroad, yes.

Q. And finally, in December of 1973, at the age of 18 you joined Canada's national ski team. And as I understand it, up to that time, Mr. Read, had you been able to fit in your regular schooling and in, particular, your high school career up to that point?

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A. Up to the time that I was competing the year in Europe, with my family, I had been attending high school and previous years before high school in a normal manner, missing quite a bit of school as a result of sport but still fitting into the normal confines of a regular academic year.

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The year I spent in Europe I continued my education through correspondence courses so it was somewhat abnormal but still maintaining and then the first year I was in the national team, which was my final year of high school, I was fortunate enough to be able to split quarters, and ended up doing the first quarter and the final quarter to finish off high school.

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Q. And so then, effectively in 1973, you became a full-time athlete as part of Canada's national

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ski team?

A. That's correct.

Q. All right. And just to get an idea of what it is or what it was at that time to be a full-time athlete, how much of your year was taken up with skiing?

A. Basically ran from the competitive -- our training and competitive season ran from July through until April. There were -- some of the athletes then chose to, in the break period between April and July again, to either take time off, do training camps, test equipment and so on.

My own choice was to go back and continue my -- works towards a university degree. And then again, I would be back into the routine again. So, basically from that whole opportunity, there was no opportunity whatsoever to do anything whatever other than concentrate solely on the sport.

Q. And your career in the national ski team went from 1973 to 1983, and during that ten year period, as I understand it, except for one year, you would attend classes at the University of Calgary in May and June, working your way slowly towards a degree?

A. A very slow ten year plan towards a B.A., yes.

Q. All right. And then just to finish

off, to get a kind of snapshot of what it is like to be a full-time athlete, as I understand it, during this ten year period, the first five years in the summer months -- what Canadians know as summer months -- you would be
5 enjoying the winter months in South American, training and skiing down there?

A That's correct.

Q. And then the next five years of your ten year national team career, again you spent the
10 Canadian summer months in New Zealand enjoying the New Zealand winter training and skiing?

A. That's correct. Chasing the winter throughout the world.

Q. All right. And then you would pick it
15 up beginning towards the end of November, covering what most of us know as the European North American ski circuit, skiing both in Europe and in North American during the traditional winter months from November to April?

A. Yes. The competitive season would go
20 from the last weekend of November to the 15th of April and we would be competing at all levels, Olympics and world championships if they fell into that year, World Cup which is an annual and then the international competitions which
25 are ongoing throughout the entire period.

Q. Now, apart from the Olympics, the premiere skiing competitions during your time and, indeed, I guess today still, are the World Cup events, am I right?

A. That's correct.

5 Q. And during your career at the World Cup level in downhill, you had five World Cup victories and would you just give us those, please? If you can't remember them, I've got a note of them?

10 A. Five victories; the first one was in December 1975 in Val d'Isere, France. The second was in February of 1978 in Chamonix, France. The third was in December '78 in Schladming, Austria. The fourth in January, 1980 in Kitzbuhel, Austria and the fifth in January, 1980 in Wengen, Switzerland.

15 Q. And it would not be inappropriate to note in passing that really you became known as the leader of the original group called the Crazy Canucks?

A. That's correct.

20 Q. And for the non-skiers present, that indeed is a term of endearment and a badge of distinction. There are other Crazy Canucks but they don't fall into your category. The real Crazy Canucks, apart from you, were Dave Irwin, Jim Hunter, Dave Murray and Steve Podborski?

25 A. That's correct.

Q. Looking at your Olympic career, you were on two Canadian Olympic teams, 1976 and 1980. And in 1976, in Innsbruck, you finished fifth in the downhill missing the bronze medal by 25/100ths of a -- or 25/100ths of a second?

A. 24 or 25, a quarter of a second.

Q. All right. And, indeed, you were off the gold medal by 1.1 seconds?

A. That's correct.

Q. All right. And then going into Lake Placid ---

THE COMMISSIONER: What happened?

THE WITNESS: They were too fast.

MR. ARMSTRONG:

Q. Going into Lake Placid, in 1980, you and two other Europeans were the odds on favourites for the gold medal and, unfortunately, we all remember that you had an unfortunate fall at Lake Placid in the 1980 Olympics, is that right?

A. That's correct.

Q. All right. Then, in addition to the particular distinctions on the ski slopes, you have had a number of other recognitions, as an athlete. In 1978 you were Canada's outstanding athlete winning the Lou Marsh

Award.

In 1979 you were selected as Canada's outstanding male amateur athlete. In 1979 and 1980 Canada's athlete of the year.

5 1984, you were inducted into the Amateur Hall of Fame. 1986 you were inducted into Canada's Sports Hall of Fame. And in 1987 you were inducted into the honour role of Canadian skiing, is that so?

A. That's correct, sir.

10 Q. Now, you retired from competitive skiing in 1983 and attended full-time at the University of Western Ontario for the academic year 1983/84, is that so?

A. That's correct.

Q. Did you graduate from Western?

15 A. Graduated from Western with a degree in Economics.

Q. And then just looking at your career since Western, you have been engaged in a number of pursuits, not the least of which is broadcasting for CBC, 20 GGP sports, Jalbert Productions, CTV.

CTV you've been the co-host of the Tribute to Champions and on CBC Sports, you're known for the Read Report which appears on CBC Sports Weekend, is that so?

A. That's correct.

25 Q. And you have been involved in writing

for Ski Canada as a feature columnist, Skiing Magazine as a contributing author, Sport Zurich as a feature columnist and you're the author of a book entitled, 'White Circus, which I takes it relates to the ski circuit?

5 THE COMMISSIONER: I didn't hear the title?

MR. ARMSTRONG:

Q. White Circus.

A. That is what the World Cup is referred to or the skiing circuits which includes World Cup,
10 downhill, Olympics and World Championships.

Q. All right. And you are involved in a number of business and professional matters including your own consulting business at the present time?

A. That's correct.

15 Q. All right. And then Mr. Read, you are involved in a number of volunteer and sporting organizations which I am going to deal with, particularly related to skiing and the Olympics in a moment, but some of these are detailed in your biographical notes which you
20 provided to me this morning and, Mr. Commissioner, if I can have those two pages marked as our next exhibit?

THE COMMISSIONER: Thank you.

THE REGISTRAR: 78.

25 --- EXHIBIT NO. 78: Biographical notes of Ken Read

MR. ARMSTRONG: All right.

THE COMMISSIONER: Do you have that?

MR. ARMSTRONG: Sorry, you have in front of
you there.

5 THE COMMISSIONER: Not with me.

MR. ARMSTRONG: First document.

THE COMMISSIONER: Okay, I'll find it.

Thanks. 78?

THE REGISTRAR: 78.

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MR. ARMSTRONG:

Q. All right. Mr. Read, I want to just
take a moment to deal with the sport of skiing and how it
is organized because we've heard a lot of evidence on how
15 the sports organizations are organized in a general sense
but it might be helpful, since you are here to give us
some specific information of how the sport of skiing is
organized, taking Canada first, we've heard about
something called a NSO, a national sport organization and
20 is there a national sport organization or organizations
for skiing and if there is, or are, what are they?

A. The national federation for skiing is
the Canadian Ski Association and under the Canadian Ski
Association are what I would term five NSO's or national
25 sport organizations which are alpine skiing, alpine

Canada-alpine, cross-country, Nordic combined, ski jumping and free style.

Each one of those five NSO's or disciplines is semi-antonymous from the Canadian Ski Association which is then seen as the National Federation.

Q. All right. And just pausing for a moment, Nordic combined are what two sports?

A. Nordic combined is the combination of ski jumping and cross-country.

Q. All right. And so the NSO setup for skiing is a little bit like swimming because we heard that swimming comprised more than one organization coming together and an aquatics federation of some sort, so skiing is a bit the same?

A. It's exactly the same wherein there is the one national Federation and, I believe in their case, there are four different disciplines.

Q. All right. Now, is there an international federation for skiing?

A. There is an international federation called the International Ski Federation or usually referred to as the FIS which is the abbreviation for the French, Federation Internationale de Ski.

It again, is the governing body for all of the sport disciplines of skiing which are again the five

disciplines I've mentioned; alpine, cross-country, ski jumping, Nordic combined and free style.

In the case of the International Federation they are semi-antonymous but not in the same manner of Canada, that they don't operate -- they each have their own respective committees that run them but because they're not dealing with bodies and teams that they have to administer and so on, it's not quite the same setup as Canada.

Q. Now, does the FIS recognize each one of the five Canadian ski organizations or does it only recognize the CSA as a constituent member?

A. It recognizes the CSA as the constituent member.

Q. And, we're going to have a lot to say in a few minutes about the Olympics, but the IOC, I take it, also recognizes the CSA as the national sport organization for skiing, as a whole?

A. That's correct because the IOC recognizes only the International Federation which in turn then recognizes only the national federation so the link then is from the IOC from the FIS to the CSA.

Q. Right. Now, I want to just take a moment to touch on your official positions with the two skiing organizations.

First of all, as I understand it, you are
the athletes' representative of the Canadian Ski
Association to the COA, Canadian Olympic Association,
Athletes' Advisory Council?

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A. That's correct.

Q. And we are going to come to that and spend some time on the COA FIS Council. And then moving in to the FIS, the International Ski Federation, you hold
5 three positions in that organization. What are they?

A. The three positions that I hold in the FIS are: I am a member of the Alpine Executive Committee, which is the senior body for the sport of alpine skiing. I am a safety expert for the FIS. We are area small group
10 of individuals who are selected to go and see that the safety is adequate at downhill races throughout the world. And I am also a technical delegate, which is the senior official at any international competition and you are assigned to certain races and represent the FIS at those
15 races to make sure that the rules and regulations are carried out in proper procedure.

Q. And indeed a couple of weeks ago north of Toronto up near Collingwood at the Devil's Glen Ski Hill, you were the FIS representative there at a race that
20 was held during the Christmas holiday?

A. That's correct.

Q. Then the sport of alpine skiing in which you are involved, what events are there? We know you as a downhiller, but apparently in alpine skiing there
25 is life beyond the downhill, and what are those events,

please?

A. The sport of alpine skiing is broken into five disciplines. Downhill, which is the one that I am linked to. There is also Super G, giant slalom, slalom, and the fifth is called the alpine combined, which is a combination of downhill and slalom, but the result is only recognized of a combination of the two results, and it's completely ---

Q. You don't come down the hill doing both down hill and slalom, you do two races and combine the results ---

A. That's right.

Q. -- and get the alpine combined.

A. Yes, sir. As a quick point of clarification they are run as completely separate events so when you go to the Olympic games in Calgary, for instance, you had 12 races when it was all said and done with all the men and the women.

Q. All right. Now, that sets the background of both your active athletic career as a participant in skiing and most of the offices that you have held or are holding except for the Olympics, and we will come to the Olympics in a moment, but can you just tell us a little bit about your own career as a spokesperson on behalf of the athlete. And I understand

this began back at a meeting of athletes in April of 1980.
Tell us a bit about that, please?

A. Well, it began actually just slightly
before that. I was part of, call it an activists group,
5 on the downhill circuit where we were calling for
increased safety measures and changes in organization of
the World Cup, and so on. Because of that activity, when
the issue of the boycott of the 1980 Olympics came up, and
the COA had decided to draw together a group of athletes
10 to discuss the issues so that the athletes could put
forward their opinion on the subject, each national
federation was asked to send one athlete, and the Canadian
Ski Association then chose me as an individual who was
interested in that type of thing.

15 In April, then, of 1980, we had the
discussion at the COA annual general meeting. Subsequent
to that, the following year, the COA then decided to form
an Athletes' Advisory Council because of the positive
effect of the meeting of athletes, they felt that we had
20 made a valuable contribution to the discussion. So, in
April of 1981, the Athletes' Advisory Council was formed
by the COA. And at it's first meeting, I, maybe by
mistake, stuck my hand up to act as the Chair and was
subsequently selected, and from 1981 to 1985 was Chairman
25 of the Athletes' Advisory Council.

THE COMMISSIONER: To the Canadian Olympic Association.

THE WITNESS: To the Canadian Olympic Association.

5 THE COMMISSIONER: To the COA?

THE WITNESS: Yes. Do you want me to continue through the whole sequence, sir?

MR. ARMSTRONG:

10 Q. Now, I want to stop you there for a moment just to, perhaps, make this observation and see if you agree with it or see if I am right.

As I understand it, this meeting that you attended in April 1980, representing athletes at the meeting of the COA in Montreal -- that was a meeting of the COA in Montreal -- was that the first time that the COA had invited athletes to come in directly and make representations in a kind of semi-official sense?

A. Yes, it was.

20 Q. All right. So, this whole idea of athletes participating in the small "p" politics of the Olympics Organization of Canada is a relatively recent development?

A. It is very recent and, in fact, the COA was one of the first organizations to acknowledge and

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include the athletes in the process.

Q. All right. And then, why don't you just carry us along then. As I understand it, we go to June, 1981, do we, when you attend a FIS congress?

5 A. Yes.

In June, 1981, I was invited to attend the International Ski Federation congress which was being held Tenerife, Spain, as an athlete representative. And then subsequent to that, I guess the next step was, actually, my election to the Board and Executive of the Canadian Olympic Association in 1985, and my nomination to the Athletes' -- the IOC Athletes' Commission in 1985.

10 Q. All right. And the IOC Athletes' Commission is an organization, indeed, that we are going to come back to, but just pausing there for a moment, you are the only Canadian representative on that Commission of which there are, what, 14 members from around at world in total?

15 A. There are 14 members from around the world. I am the only Canadian representative. I was initially selected because two members of Commission are beholden to the next countries to organize the games. So, in 1985, at that point, Canada, through Calgary and Korea, through Seoul, were to name athletes to represent them, as is the present case with France with Albertville and Spain

20 25

with Barcelona. I have subsequently be renominated to the Commission just a matter of a few weeks ago, and now I stand as an indepentent member. I am not nominated by any association, merely chosen, as are the other 12 members of Commission.

Q. All right. And just finally, dealing with or bringing up to date, your participation in the Olympic movement, on behalf of athletes and others, you noted that in 1985 you became a Vice President of the Canadian Olympic Association. In 1988, Calgary, indeed, you were the Olympic torch bearer on the final leg of the torch being carried into McMann Stadium together with Cathy Priestner. And your next involvement of interest to us is you were one of two athlete representatives at the Ottawa conference in June of 1988?

A. That's correct, for the discussion of the anti-doping conference.

Q. And you attended that conference as a representative of the IOC Athletes' Commission together with the Chairman of that Commission?

A. That's correct, I attended. There were two of us, the chairman of the commission, Mr. Peter Tallberg, who is IOC member in Finland and Chairman of our Commission, and myself as a member of the Commission.

Q. And at the Ottawa conference, you were

indeed a speaker, and among other things spoke on the subject of athletes' rights and responsibilities?

A. We were there to represent the athletes as the one organization under the jurisdiction of the IOC that represents athletes. And as such between the two of us between Mr. Tallberg and myself --

THE COMMISSIONER: Who is Mr. Tallberg?

THE WITNESS: Mr. Tallberg is the -- Peter Tallberg is the Chairman of the Athletes' Commission.

THE COMMISSIONER: Where is he from?

THE WITNESS: He is from Finland. He is also an IOC member in Finland as well.

We then spoke out -- as the discussion turned through the various areas, particularly those of the protection of athletes' rights, athletes' responsibilities, testing, we have various statements which I believe we will get into those.

MR. ARMSTRONG:

Q. All right. We are going to back to all of those subjects. I am going to leave the Olympics for a moment and go, if we can, Mr. Read, just very briefly to the doping policy of the FIS, the International Ski Federation. And again the International Ski Federation represents the sports of alpine skiing, cross country

skiing, Nordic combined, which is cross country and
jumping ---

A. Together.

Q. Together. Ski jumping and free style
5 skiing.

THE COMMISSIONER: Is cross country, not a
special in Seoul, does it combine with Nordic, the way you
put it?

THE WITNESS: No, cross country they have
10 completely separate administration, different athletes,
different rules.

THE COMMISSIONER: And Nordic is separate
as well?

THE WITNESS: And Nordic combined is a
15 combination of a 70-metre jump. I am not sure which
length, the cross-country race.

THE COMMISSIONER: All right.

MR ARMSTRONG:

Q. Now, just briefly, in respect of the
20 FIS doping policy, I don't, for our purposes here today,
want to get into particular details of it, but could you
in general terms describe what the policy is, and what
testing the International Ski Federation does?

A. The FIS doping policy is required to be
25

consistent with IOC doping policy in the first instance.
And in the second instance, for the carrying out of the
testing, they carry out testing, of course, at the
Olympics, at world championships, and on a random basis at
5 international competitions.

Q. Now, when you say on a random basis at
international competitions, that is still testing that is
actually done at the time of the competition, but it is
not known in advance which placings or which persons will
10 be tested until the race is over?

A. That's correct.

Q. But, skiers going to those competitions
know that there is some possibility that they will be
tested if they compete in those competitions?

15 A. Yes, that's correct.

Q. All right. Now, is there some plan
afoot to do any testing for blood doping at the FIS level?

A. There is a plan in place for blood
doping testing to be carried out at the world
20 championships in the Nordic disciplines, which the
disciplines are organized separately. Alpine has its own
world championships and then Nordic, which includes ski
jumping, cross country, and Nordic combined all have their
championships at the same time.

25 Q. Yes.

A. And at those championships in the cross-country discipline, cross country then and Nordic combined, FIS will be carrying out blood doping testing of athletes which means they will be taking blood samples.

5 Q. That's in the current ski season that we are -- you wouldn't know it in Toronto, but we are in the middle of it now?

A. Yes, and it will be carried out next month in February, 1989.

10 Q. And I guess since the organization hasn't yet experienced the actual implementation of blood doping, you haven't yet had the situation to deal with where an athlete may say, for whatever reason, you are not going to have any of my blood?

15 A. No, they haven't had any legal challenge or moral challenge to the policy that's been put in place.

20 Q. All right. Then I want to move along to the organization which you are closely linked to through the Canadian Ski Association, that is Alpine Canada. And you have told me that Alpine Canada this fall has indeed developed an anti-doping policy which was approved at the end of November, 1988; is that correct?

A. That's correct.

25 MR. ARMSTRONG: And, Mr. Commissioner, we

have obtained through Mr. Read a copy of the Alpine Canada Anti-doping Policy. It should be among your papers.

THE COMMISSIONER: I have it.

MR. ARMSTRONG: Could we have it marked as
5 the next exhibit.

THE REGISTRAR: 79.

--- EXHIBIT NO. 79: Alpine Canada Anti-doping Policy

10 THE COMMISSIONER: I wonder, Mr. Armstrong,
whether this would be a good time to break before you go
into this.

MR. ARMSTRONG: Yes, it would.

THE COMMISSIONER: All right. 2:15.

15 --- Whereupon the hearing adjourned.

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--- Upon resuming at 2:15 p.m.

THE COMMISSIONER: Mr. Armstong.

MR. ARMSTRONG: Yes, thank you, Mr.

5 Commissioner.

Q. Mr. Read, before the luncheon break, we
were looking at Exhibit 79, the Alpine Canada Anti-Doping
Policy. And perhaps you might just take a moment and read
paragraphs one and two because it puts the policy in
10 context for us?

A. Certainly.

The background of the Alpine Canada
Anti-Doping Policy, there are two points, the first point
is:

15 "The doping events at the Olympics in
Seoul have served as a catalyst for Alpine
Canada Alpin to consider a doping education
and control program for alpine ski racers in
Canada."

20 Point number 2:

"It is strongly felt that at the present
time, there is not a problem or any
suspected use by Alpine athletes of
performance-enhancing substances. It is
25 also felt that it is time for a

significant effort on the association's part to make doping education a priority so that we don't ever have a problem in the future."

Q. Just stopping you there, in so far as
5 your own knowledge and experience is concerned in the area of alpine skiing, are you of the view that this statement is accurate, that there is not a problem in respect of alpine skiing so far as doping is concerned?

A. Yes, I believe it's accurate.

10 Q. What about other facets of skiing. Are there any high risk areas, so far as you are concerned.

A. There are two high risk areas that I can identify. One is cross-country skiing and the other is Nordic combined. In cross-country skiing to my
15 knowledge there have never been any positive tests but there ever been allegations made in the press. Most recently in Calgary by the coach of the cross country -- head coach of the cross-country team.

And in Nordic combined, to my knowledge,
20 there has been one test, positive test, which was -- I should be accurate, it wasn't a positive test, it was an athlete subsequently admitting he had engaged in blood doping. The individual's name is Kerry Lynch from the United States. He had finished second, won a silver medal
25 at the world championships in 1987. He was subsequently

stripped of his medal and banned from competition for two years, but also of importance were the coach and administrator for who were involved with the incidents were banned from international competition for life.

5 Q. The coach and administrator who had obviously been involved with this particular athlete?

A. Yes.

And in fact, there is one other part which is consistent with the penalty that was imposed on the administrator. He was to be the technical delegate at the
10 Calgary Olympics, and he was stripped of that. And so they were included in the sanctions as well.

Q. And do you know, Mr. Read, if those sanctions were employed by the US NSO for skiing, or did
15 it come from the FIS?

A. That came from the FIS. I am not certain as to what action the United States Olympic Committee or the United States Ski Association took with the issue.

20 Q. All right. Then you mentioned that -- I don't want to get into what the allegations were in the newspaper and so on, but you did mention that certain allegations were made by the coach, and I take it those were the allegations that were well publicized at the time
25 of the Calgary Olympics in respect of cross-country skiing

by the coach of Canada's National Cross Country -- or Olympic cross-country team?

A. That's correct.

And the coach subsequently was asked to apologize. He apologized in part I guess, but the concern still remains that there is -- there are people engaging in the practice of blood doping. It's one of the reasons why the FIS has instituted a policy for the world championships in February of 1989.

THE COMMISSIONER: Well, the allegation was against other than Canadian athletes?

THE WITNESS That's correct, yes. And there are other athletes, other foreign athletes, who were also speaking out, suggesting allegations of certain athletes from certain countries were engaging. Nothing was ever proven, but for those reasons and for the purpose of trying to uphold the credibility of the sport, the FIS felt that they had to do something.

MR. ARMSTRONG:

Q. All right. Just moving down to item number 4, we have been interested in the definition of doping. And would you just read for us what Alpine Canada has done in their policy, please, in paragraph 4 concerning the definition of doping?

A. Reading under paragraph 4, "Definition of

Doping."

"Alpine accepts the following as a definition of 'doping'.

'The intentional or inadvertent use, by whatever means, by an athlete of a substance or procedures in order to enhance athletic performance before or during a competition as deemed to be doping.'

And with brackets "(FIS, SMCC)" which I assume means consistent with their interpretation.

Q. All right. Then, Mr. Read, could I take you over to the second page of Exhibit 79, and down at the bottom of the page under "Doping Control - Testing", paragraph 7 indicates that:

"NAST athletes may be subjected to dope testing at World Cup events and World Championships according to the FIS anti-doping regulations."

And then paragraph 8 says:

"NAST/NDG athletes will be tested on a 'short notice' random basis at any time during the year (during training or competition phases)."

Now, I asked you to find out if you could

for me ---

THE COMMISSIONER: What?

MR. ARMSTRONG: What they mean by short notice.

THE COMMISSIONER: That's Nordic I see?

5 THE WITNESS: Okay.

BY MR. ARMSTRONG:

Q. I am sorry, is NDG ---

A. That's National Development Group.

10 Q. What is the National Development Group?

A. They are the athletes that are immediately below the members of national team, so it involves -- there are two categories. One is for slightly older, one is for junior athletes.

15 THE COMMISSIONER: NAST is what

THE WITNESS: National Alpine Ski Team.

THE COMMISSIONER: Are those that are coming up?

THE WITNESS: Immediately below the other.

20 THE COMMISSIONER: Sorry.

MR. ARMSTRONG: No, it's my fault should have dealt with.

THE COMMISSIONER: You were asking about number 8, I think.

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MR. ARMSTRONG:

Q. I was asking about number 8. And what does short notice random testing during training or competition phases mean?

5 A. Short notice, the intent, when I discussed it with the program director meant that program director and one other individual in the office in the administration of the National Alpine Ski Team would be the only ones who would know who, and -- where the testing
10 would take place, who would be selected, at what time. So it would be completely -- it would be basically a no notice.

Q. All right. And you and I were discussing this at lunch, to put it simply, if a couple of
15 athletes, a couple of skiers are at a training camp, theoretically it could work between these two individuals that you have mentioned, just simply walking in to the ski lodge at a training camp and saying "All right, Read and Smith, we are here and we want you to provide a sample.
20 You are going to be tested."

And that's what is foreseen as I understand it?

A. That's correct.

Q. Then could I take you over to paragraph
25 11 on the third page, and could you just read under the

heading: "Doping Violations", paragraph 11. Could you read that for the benefit of the record. And then I want to ask you a question or two about that.

5 A. This is paragraph 11 under "Doping Violations":

"If, in the course of any investigation, or any other means, evidence is presented to ACA indicating the involvement of other persons (other than the athlete) in the commission of a doping violation, whether by counselling the use of banned substances or procedures, permitting the use or willfully ignoring such use, ACA shall be entitled to initiate an enquiry into such circumstances. Any person whose conduct in this regard is subject of such an investigation shall have the right to be heard."

10 Q. This is a little bit like asking you if you are in favour of motherhood, but I take it you, and the positions that you hold, and the people that you represent, that has your support and make sense I assume?

15 A. Absolutely. It's been consistent with a number of things which I am sure we will get into.

20 Q. All right. Then I think, Mr. Read,

unless the Commissioner or somebody else has some questions about Exhibit 79, I am going to leave that and move on. And I want to get ---

THE COMMISSIONER: Well, I notice there is,
5 under 14, there is a penalty for refusal to provide a sample, which we haven't seen elsewhere, under 14, number 14.

MR. ARMSTRONG: Yes. Do you see that?

THE COMMISSIONER: Or if he will provide a
10 sample shall be certain penalties --

MR. ARMSTRONG:

Q. So, you are not only penalized, I take
it, Mr. Read, by the Alpine Canada if you test positively,
15 if you refuse to provide a sample you are subject to sanctions as well.

A. That's correct.

Q. All right. Now, I just want to move in
to your involvement in the Olympic movement that you
20 described when we went through your resume, but you are the first witness that we have had have the Canadian Olympic Association, and it might, to some extent, put your evidence in context, and also in this first phase of the hearing give us a little introduction to the
25 organization of the Canadian Olympic Association since you

are Vice President. If we were to pause here for a moment and if you were to assist us on the organization of the Canadian Canadian Olympic association.

First of all, there are various classes of membership in that association, and, first of all, as I understand it, A class. And can you tell us who are the A members of the Canadian Olympic Association?

A. The A members of the Canadian Olympic association are comprised of the member sports of the Canadian Olympic Association of which there are 30. Each sport has five members.

Q. And so does that mean then that each of the national sporting organizations the NSO's -- I am getting very accustomed to these new acronyms, and I am showing off a bit -- the NSO's, they nominate then each of them five members to become A members of COA?

A. That's correct.

Q. All right. And then there is a B category, who is in the B category?

A. B category is made up up to one hundred members at large which are intended to draw individuals of various backgrounds and expertise into the association, and they can be from -- they can be from sport, they can be from government, they can be from private sectors and so on. And so for the ---

Q. All right.

A. The intent to broaden the base of the association to complement the sport base which are the A members.

5 THE COMMISSION: What about the judiciary?

THE WITNESS: Probably, as well, the public at large.

MR. ARMSTRONG:

10 Q. All right. Then in the C category?

A. C category are honorary members?

Q. IOC member.

A. Excuse me.

15 Q. There are then two in the C category are two IOC Canadian reps. Then there is a non-voting category, honorary members in the D category?

A. That's correct. I think Jean Drapeau and Ralph Klein are two such individuals who are in that category.

20 Q. Then there is an E category of sports representatives, one from each sport apparently of sports that the Olympics recognize, but they are not Olympic sports?

25 A. That's correct. There are a variety of sports that the IOC recognizes which are sports that have

an organized structure, an International Federation, and organized competitions but are not on the Olympic program. Two such examples that we jaialai and water skiing or -- and another one would be aeronautics. And so they are
5 allowed to have one member.

Q. And then finally there is a F category, which take in the the athletes and perhaps you can tell us about that?

A. The F category was created for the
10 Athletes' Advisory Council. It's a reflection of the A category in that each sport is represented so therefore the number 30 and each athlete represented and nominated by the athlete sport then carries one vote. So, if there are 30 votes in the F category.

15 Q. All right. Now, you are member of Canadian Olympic Association. Which category do we put you?

A. I actually have two hats, but it is I
am a B member by virtue of the fact that I was on the
20 Board and the Executive. I am also an F member representing skiing but the B membership takes priority.

Q. Okay. So, you are B category as you
are a member at large elected by the other members.

And looking at this membership as you have
25 described it, one of the things that you take from the

structure is that the 150 members that are nominated by the NSO's, in fact, control in a sense the majority of the votes, of the COA?

5 A. That's a requirement of the Olympic charter laid out by the IOC that sport organizations must have voting control of the national Olympic Committee of each respective country.

Q. All right. Now you have told us you are on the Board, and how is the Board made up?

10 A. The Board is made up up of 44 members, 30 directors from the A members, each representing their short, and 14, roughly 14 members at large from B membership or other categories and the to IOC members.

15 THE COMMISSIONER: Who is the president now?

THE WITNESS: The President is Roger Jackson.

MR. ARMSTRONG:

20 Q. Okay. Fine.

Now, I want you to take us back to 1981 and start, it's along time ago but really not that long, give us a little bit of kind of a history lesson as it were in 1981 there was a significant meeting at Baden-Baden. And
25 can you tell us about that please.

A. In 1981, I believe it was October, 1981, an Olympic congress was held in Baden-Baden, West Germany.

An Olympic congress call it a gathering of the clan where it's run under the patronage of the IOC, but all participants in the Olympic movement are included. So it is a very broad gathering and includes the IOC members, Commission Members of IOC, the International Sports Federations, the National Olympic Committees, and there are other member associated sports, but there is representation from all parties.

In 1981, what made it significant was for the first time under the direction of the president of the IOC, the athletes took part. His rationale being that the athletes are in fact the focal point of the Olympic movement, and therefore should not only have a voice, but should be included in the direction of where the Olympic movement would be going.

Out of that meeting, it was a gathering of 30 athletes, one representing each International Federation. The athletes met, and over the course of the week of the congress and had discussions on various issues. And there were several speakers to the congress, but the one I think in particular which led to subsequent action was the speech by Sebastian Coe of Great Britan

where on several issues he spoke of very strongly, which indicated that the athletes had given a lot of thought and took their position with the correct the amount of the gravity that they were having a significant opportunity to speak out to the world and to the Olympic movement. But on the issue of doping, Sebastian Coe outlined a very extreme stance, which I guess could be summarized, he said they called for any athlete that tested positive, he be banned for life, and that any coach, administrator or medical personnel that they also be banned for life. Following that, because of the very positive reaction --

Q. I am just going to stop you there for a moment and pause.

Mr. Commissioner, we have among the proposed exhibits a document entitled: "XIth Olympic Congress"

THE COMMISSIONER: Yes.

MR. ARMSTRONG: And it contains the final statement of congress, and the third page of this document that Mr. Read supplied to us contains a reference to Mr. Coe's speech, and could I ask this be marked as exhibit 80.

--- EXHIBIT NO. 80: Document entitled: XIth Olympic Congress

MR. ARMSTRONG:

Q. Mr. Read, if we could just pause for a moment, have you got your copy there. Could you just take us to the third page and just read this? This I take it is either the conclusion of a speech or the conclusion of that part of his speech that related doping?

A. Unfortunately it's just the conclusion of that part of the speech which related to doping. I tried to get the full context, but it it was unavailable.

It reads:

"Sebastian Coe - on behalf of the athletes:

"Doping: We call for the Life Ban of offending athletes! We call for the Life Ban of coaches and so-called doctors who administer this evil!"

Q. When I interrupted you, you were going to say that as a result of the Baden-Baden meeting and the very positive response that was received to the athletes participation, Mr. Coe's participation as one of the leading spokesmen, something happened and would you tell us about that?

A. Following the Olympic congress in '81, again under the direction of the president of the IOC, Mr. Samaranch, they formed what is now known as the

IOC Athletes' Commission and it has been in existence ever since with the intent of representing a representative group of athletes which advises the IOC on matters affecting the athletes.

5 Q. All right. And in the 1984 Olympic games, the athletes Commission circulated -- I have to ask our Commissioner first whether it is a pamphlet or a brochure.

THE COMMISSIONER: This is a brochure.

10 MR. ARMSTRONG: I have the final rule. All right.

THE COMMISSIONER: You and I will have a chat about this later and I will explain the difference.

15 MR. ARMSTRONG:

Q. All right. For your benefit, Mr. Read, I know you thought it was a pamphlet as did I, but you and I was going to call it a brochure.

20 This brochure, as I understand it, was circulated on a number of questions and there is a very brief statement in it. Can you take us to that on the question of doping?

A. Okay. Reading the paragraph under doping.

25 Q. That's on the second page?

A. On the second page.

Better information for athletes,
trainers and coaches, severe penalties for
any deliberate misuse of drugs, consequences
for all concerned including trainers,
coaches and physicians, regular doping
checks, doping checks also during the
training period.

Q. And was it part of the mandate of the
Athletes' Commission not only to circulate a brochure,
such as this that expressed your -- the opinion period of
time athletes on a number of subjects including doping,
but to carry the message to the L.A. Olympics that the
Athletes' Commission stood four square behind an
anti-doping campaign?

A. It was the subject of quite a bit of debate
within the IOC Executive Board as to whether or not the
Commission this fell under our jurisdiction and was
subsequently given approval by the IOC and it was both in
Sarajevo and Las Angeles that was distributed to the
athletes. The Commission also had offices in both Olympic
villages where these were handed out.

MR. ARMSTRONG: I am sorry, could I have
this marked as the next exhibit, please, 81.

THE REGISTRAR: 81.

--- EXHIBIT NO. 81: Brochure.

THE WITNESS: Actually -- just to insert
the chronology of the formation of the Commission and then
5 the dates of the various meetings of the Commission are
listed on the final page of that hand out.

MR. ARMSTRONG:

Q. Thank you, very much.

Okay, then, when was it that you became a
10 member? You told us this morning -- I am sorry I have
lost the date?

A. I was nominated in the spring of 1985

THE COMMISSIONER: What date is this
document, '83?

15 THE WITNESS: That would have been handed
out in the 1984 Olympics.

THE COMMISSIONER: Thank you.

MR. ARMSTRONG: That was the one that was
circulated, exhibit 81, was circulated Sarajevo for the
20 Winter Olympics, Las Angeles for the summer?

A. Las Angeles for the summer.

Q. All right. We come along to the spring
of 1985, and as I understand it ---

THE COMMISSIONER: I see Mr. Tretyak was
25 the representative at that time?

THE WITNESS: That's correct, still is.

MR. ARMSTRONG:

Q. Still is. And we are going to go over the current membership.

5 THE COMMISSIONER: Sebastian Coe.

MR. ARMSTRONG: Yes.

THE COMMISSIONER: Edwin Moses, Mr. Keino.
All right.

10 MR. ARMSTRONG: It becomes, as you will see, a more distinguished group when Mr. Read joins.

THE COMMISSIONER: Because of his addition obviously.

15 MR. ARMSTRONG: That's right, that's right. Now -- and we are going to go over the membership, but you have stolen my thunder on some of those names.

THE COMMISSION: I am sorry.

MR. ARMSTRONG: That's all right.

THE COMMISSION: I promise not to do it again.

20 MR. ARMSTRONG.

Q. Okay. Mr. Read, then as I understand it, when you became a member in the spring of 1985, it was as a result of the Games, the Winter Games in Calgary coming up in 1988 that through the Olympic structure
25 Canada was entitled to nominate a member of the Athletes'

Commission since we had the 1988 Winter Games, and you were it?

A. That's correct.

5 Q. All right. And then when did you attend your first meeting of the Athletes' Commission?

A. It would have been the 6th and 7th of October, 1985.

Q. Okay. And that was in Lausanne, Switzerland?

10 A. That's correct.

Q. And was doping a subject matter of discussion at that meeting?

A. It was the subject matter of considerable discussion, taking up almost half a day.

15 Q. All right. And after the meeting in Lausanne, the IOC Athletes' Commission issued a press release on the subject?

A. That's correct.

20 MR. ARMSTRONG: All right. Mr. Commissioner, you have a copy, as does the Registrar, it is the document entitled Press Release.

THE COMMISSIONER: Lausanne.

MR. ARMSTRONG: Lausanne, October 7, '85. Could we have that as the next Exhibit, please.

25 THE REGISTRAR: 82.

--- EXHIBIT NO. 82: Press Release.

MR. ARMSTRONG:

5 Q. This is an important document, and if
would just take a moment and read it for us, Mr. Read,
please.

A. Certainly. It was a Press Release
following the meeting of the Athletes' Commission, and the
10 text is:

"The IOC Athletes' Commission in
Lausanne on the 6th and 7th
of October 1985 expressed great concern
for the increasing incidence of doping.

15 Doping remains a significant problem
that blemishes the Olympic Movement and
all athletes. The IOC Athletes'
Commission repeats its appeal on doping
taken at the IOC Congress in 1918.

20 More specifically, we call for the
institution of the following:

1) Education programmess designed to
inform athletes, coaches and
administrators of dangers
25 of banned drugs, alternatives to banned

drugs for therapeutic uses, and doping control procedures."

2) International and national doping control through random testing in competition and particularly in training.

3) World Olympic records to be recognized only in conjunction with Doping control.

4) A lifetime ban from the Olympic Games for any coach intentionally found guilty of a doping violation.

5) A lifetime ban from the Olympic Games for any athlete intentionally found guilty of doping.

6) We suggest that all sponsorship contracts include a clause strictly forbidding the use of banned drugs and Obliging the contract partners to take sanctions in the event of a violation.

In conclusion, we find doping to be a breach of the rules of fair play and Ethical principles of the sport. The health of all athletes must remain a primary concern of all partners in the

Olympic movement."

Q. All right. Now, just stopping for
an observation at the moment. Looking at paragraphs four
and five of this Press Release, they appear to be
5 consistent with the statement made in 1981 by Mr.
Sebastian Coe where the kind of sanctions both for
athletes and coaches that the Commission is calling for is
a lifetime ban?

A. That's correct. And we saw no reason
10 to change the position that had been taken in 1981.

When it was taken in 81, there was
considerable surprise in the international sports
community that the athletes would ask for such an extreme
stance. By 1985, we did not see that any significant
15 amount of movement had been taken with respect to the
problem and so we were reiterating our stance.

Q. Now, post this Lausanne meeting in
October 1985, were there then discussions, considerations,
given to the question of sanctions and what one might call
20 the harmonization of sanctions?

A. There was considerable discussion.

Q. Yes. Can you describe what the
discussion was about.

A. The rationale for coming up with what
25 we call harmonization of penalties was the fact that some

federations, the international federations which actually implement the sanctions were inconsistent. Some would ban an athlete for 18 months, others for two years, others for life. Sometimes the life ban wouldn't take effect until the third time a person had been caught. Others would never take sanctions at all.

So to try to establish some sort of consistency there was a considerable amount of discussion with the IOC eventually taking leadership to try to harmonize or coordinate the penalties that any international Federation, national Olympic Committee, or national Federation might take.

Q. And it might be useful, just to pause here and let me ask you this question, you mentioned that there was inconsistency in the kind of penalties that were being imposed by the International Federations.

5 I take it that apart from participation in the Olympic Games themselves, the IOC has no jurisdiction, or certainly doesn't record itself as having any jurisdiction, to impose penalties on athletes?

10 A. Yes, that's correct. Because of the jurisdictional limitations, the IOC kept their controls or regulations limited to the Olympic Games themselves and so we can see it in the Olympic charter that they referred only to the Olympic Games.

15 The international federations or national federations were responsible for the day-to-day administration of sport.

Q. Now, in terms then of this discussion that you've described that began to bubble up in about 1985 and thereafter, I understand the IOC Medical
20 Commission made a statement and that is contained in a document that you were good enough to supply to us which is attached to a letter addressed from the Chairman of the IOC Medical Commission dated April 28, 1987.

25 THE COMMISSIONER: Was it 1982 that the IOC Medical Commission was established? Was that the date? I

have for the gotten. Earlier that that?

MR. ARMSTRONG: No, no, much earlier than that.

THE COMMISSIONER: Mr. Falby?

5 MR. FALBY: I have it some place here.

MR. ARMSTRONG: It's already on the record and I apologize...

THE COMMISSIONER: I put it on the record. I forgot what I said. I read it. No problem.

10 MR. ARMSTRONG: I think it's 1968.

THE COMMISSIONER: I think that's right.

MR. ARMSTRONG: Right, okay. Can I have your indulgence?

THE COMMISSIONER: I'm sorry I interrupted.

15 MR. ARMSTRONG: No, that's all right, thank you.

MR. ARMSTRONG:

Q. In any event, this letter that I've just
20 described that you've given us is addressed to the
International Federations and to the National Olympic
Committees dated April 28, 1987 and we're going to deal
with this document now, if we may, Mr. Commissioner?
Could I have it marked as the next exhibit?

25 THE REGISTRAR: 83.

--- EXHIBIT NO. 83: Letter dated April 28, 1987

MR. ARMSTRONG:

Q. All right. And again, this is an
5 important letter. Would you just read that for us, just
the body of the letter of Prince de Merode?

A. Okay.

"Following the discussions with various
International Federations and giving ----"

10 THE COMMISSIONER: I'm sorry, this is
addressed to whom, though?

MR. ARMSTRONG: Up on the top right-hand
corner.

15 THE COMMISSIONER: It's to the International
Federation and to the -- I see, thank you.

MR. ARMSTRONG: And to the National Olympic
Committees and the National Olympic Committees would
obviously be, for example, the Canadian Olympic
Association, the U.S. Olympic Committee and so on.

20 THE WITNESS: Roughly 160 plus National
Olympic Committees around the world.

THE COMMISSIONER: Go ahead, Mr. Read, I'm
sorry.

THE WITNESS: The body the letter:

25 "Following discussions with the various

International Federations and given the
pre-occupation of different organizations
concerned, the IOC Medical Commission,
meeting in Calgary during February 1987,
discussed the question of the possible
unification of sanctions for positive dope
controls.

You will find enclosed a text which has
been elaborated in this respect. I should
be most grateful to receive your comments in
order that this document may be discussed in
greater detail during our future meetings.
I feel that this very important matter
should be the subject to concerted efforts
on our behalf. Thank you in advance for
your collaboration.

I look forward to hearing from you in
the near future.

Yours sincerely.."

Signed, Prince Alexandre de Merode, who is
the Chairman of the IOC Medical Commission.

MR. ARMSTRONG:

Q. Attached is the recommended sanctions
for positive cases and it makes the same point starting

out that, that you've just made, that due to the fact that the sanctions applied from the international federations for positive cases vary considerably and the IOC Medical Commission feels it's necessary to recommend a
5 harmonization in this field and then, going down the next paragraph, would you just read the rest of it for us, Mr. Read, because it's important, I think, and we should have it on the record?

A. Based on the experience of more than 20
10 years in doping control activities, it seems to the IOC Medical Commission that a differentiation between deliberate and inadvertent use of prohibited substances should be made.

Therefore, certain flexibility is necessary
15 in decisions regarding sanctions. Sanctions for deliberate doping; example, anabolic steroids, amphetamine type-stimulants, caffeine, cocaine, narcotics and designer drugs, three years for the first offense, life ban for the second offence.

20 Sanctions for inadvertent use of banned drugs; example, ephedrine, codeine, three months for the first offense, two years for the second offence, life ban for the third offense.

Q. And has the IOC Athletes' Commission,
25 of which you are a member, adopted and accepted this

recommendation?

A. We accepted that recommendation and the brochure that was distributed by the Athletes' Commission in both Calgary and in Seoul in 1988, if I can read from that document?

THE COMMISSIONER: It's less stringent than your recommendation originally?

THE WITNESS: Yes, that's correct. Reading from that document;

"The resolutions passed on the 92nd IOC session in Istanbul for the first step in eliminating the use of drugs in sport in general.

We hope that all Federations will cooperate with this. We request even greater efforts in the enforcement of doping control during the training period."

The reference to the 92nd IOC session is what has been put before you from the Medical Commission.

MR. ARMSTRONG:

Q. This would be a good point -- I'm sorry, this document should be among your papers. Could we have it marked as the next exhibit, please?

THE REGISTRAR: 84.

THE COMMISSIONER: Is this what you're
reading from, Mr. Read?

THE WITNESS: That's correct.

THE COMMISSIONER: Where you were reading
5 from?

THE WITNESS: I'm not sure which page.

MR. ARMSTRONG: We photocopied it a little
differently but you're reading from the original.

THE COMMISSIONER: I have it, it's on the
10 front page here.

MR. ARMSTRONG: Front page under the heading
doping. All right.

---EXHIBIT NO. 84: Recommendation and brochure

15

MR. ARMSTRONG:

Q. So, you have then accepted -- the
athletes, in fact, have accepted the recommendation of the
IOC that is contained in the letter from Prince de Merode
20 that we marked as Exhibit 83 and the Commissioner does --
has just commented that it does represent to some extent,
to some extent obviously, the departure from the position
that Sebastian Coe took and the position that was taken in
the meeting at Lausanne as indicated in your press release
25 which we've marked as Exhibit 82 and was there any

particular reasoning that went into the decision to move from what I might describe as the death penalty to something less than the death penalty?

5 A. There were very definite reasons for stepping back from such an extreme stance. The first and most important reason was the fact that we saw there was finally some movement on the subject.

Q. Yes?

10 A. That following a number of publicized cases and with the action taken by the Medical Commission, that we felt it was time to relax our stand. That was number one.

15 Number two was -- I think the way that you put is the probably the most appropriate way -- that it was, in effect, a death penalty for an athlete to have a lifetime ban. Even a four year ban can be, in effect, a lifetime ban from sport and anyone, no matter what they've done, deserves a second chance.

20 Q. Now, you have just recently been reappointed or reelected, have you, to the IOC Athletes' Commission?

A. That's correct; reappointed.

Q. And what term is that?

25 A. That will be for a four year term through 1992-3, guess.

Q. So, I don't know whether it's a fair way
to put it, you clearly got there because of your own great
contribution to sport in 1984 or '85 when you were first
chosen, but it was tied in a sense to the Calgary
5 Olympics, but now the IOC has chosen to invite you to be
there for another four years?

THE COMMISSIONER: You no longer represent
Canada as such? You're on the committee.

THE WITNESS: Yes, I'm an individual on the
10 committee, no longer tied to any specific jurisdiction.

THE COMMISSIONER: Is this the committee as
it is now?

MR. ARMSTRONG: That is the committee as it
is now.

15 THE WITNESS: That as it was in '88.

MR. ARMSTRONG: Oh, yes, right.

THE WITNESS: I, unfortunately -- I know who
some of the people are but I don't know the entire makeup
of the Commission since its reconstitution.

20 MR. ARMSTRONG:

Q. Now, just looking at some of the
members, I suppose that one of the first things that one
might observe is that there were in 1988 only two women,
25 Anita deFrantz of the USA and Nadia Comaneci of Romania.

Do you know whether there are any, in the new makeup of the committee, any new members, that are female?

5 A. I can't accurately say because I haven't seen the makeup. I know that Anita deFrantz has been maintained. That's all I know. The few members that I know have been maintained on the Commission are Peter Tallberg, remains as president, Anita deFrantz, Sebastian Coe, Kip Keino.

10 Q. Kip Keino?

A. From Kenya.

Q. Kenya?

15 A. Li Ning from China. Edwin Moses from the United States, myself and Vladislav Tretyak from the Soviet Union and Walther Troger from -- is actually an ex-officio member from West Germany.

20 Q. All right. Then, I want to ask you just one more question about Exhibit 84 which is this document that we've just been looking at. It was circulated, I take it, both at Calgary and at Seoul?

25 A. That's correct. Similar to what we had in Sarajevo and Los Angeles. We had offices in both Olympic villages in Calgary and Seoul. The Calgary operation was quite minor. Seoul was a little bit more active. We also had sessions in both Calgary and Seoul

with athlete representatives and all the members of the Commission were in attendance throughout both the summer and winter games.

Q. Now, you were in Seoul at the Olympics?

5

A. That's correct.

Q. And was there a meeting in Seoul of the IOC Athletes' Commission?

A. There was. It was on the 27th of September, 1988.

10

Q. All right. And at that meeting, was the issue of doping discussed?

15

A. It was. We had hoped it wouldn't be a major issue but, unfortunately, it happened to be on the day of an announcement of the most significant doping infraction, I guess, from Seoul and as a result, despite the fact that we wanted to be able to cover off a number of different issues, it became really the focal point of discussion and subsequent, we had a press conference following the meeting as well where that became, of course, the dominant subject.

20

Q. All right. And, as I understand it, as a result of that meeting of the Athletes' Commission and your discussion concerning doping, something called the Seoul Declaration was advanced and released?

25

A. That's correct. We prepared the

document ahead of time before deliberation by -- it was
the meeting of athletes on this 27th of September. It was
actually more than the Athletes' Commission. It also
included representatives which ended up totaling 23
5 countries in total with roughly 100 or so athlete
representatives.

I can add that of the 28 countries that were
involved in the overall context with having 160 national
Olympic Committees, it didn't sound like that many but it
10 did include all of the major players, including the Soviet
Union, the United States, East Bloc, West Bloc, Third
World, Asia, Oceania, whatever. We had representation
from all of the different constituencies.

Q. All right. And you indeed published an
15 article and commentary on the Seoul Declaration in
Champion Magazine in the fall of 1988 edition which is a
magazine published by the Athlete Information Bureau and
you've provided us with a copy of that and, Mr.
Commissioner, that is the document entitled Council
20 Communique. Could we have that marked as the next
exhibit?

THE COMMISSIONER: Yes.

THE REGISTRAR: 85.

MR. ARMSTRONG: 85, thank you.

--- EXHIBIT NO. 85: Council Communique

MR. ARMSTRONG:

Q. Mr. Read, again, I was, myself, struck
5 by the significance of this Declaration and also by the
significance of your observations and comments and I think
the Commissioner and counsel would benefit if you would
take us through the Seoul Declaration which, as I look at
this, covers the left-hand column under the title Seoul
10 Declaration and then goes partway into the next column and
then you make some comments about it. Could you just take
us through it, please?

A. Would you like to read all the way
through?

15 Q. Yes, if you would, because it's a
significant document?

A. Starting from Seoul Declaration;

"Olympic athletes gathered in a meeting
on the 27th of September, 1988 in the Seoul
20 Olympic village hereby declare:

We acknowledge with great
disappointment the doping cases during the
1988 Olympic Games in Seoul. The
athletes and officials involved have not
25 only broken the rules, risked their only

health but also damaged the image of all athletes competing in the real spirit of fair play.

Therefore, we strongly support the position taken on doping by the IOC Athletes' Commission since 1981 and appreciate the firm statements taken by IOC President, Juan Antonio Samaranch, on the issue.

We share the ideals laid down in the Olympic Anti-Doping Charter and urge all partners in sport throughout the world to implement this program."

Q. Can I just stop you there? I take it that that's the reference to the Ottawa Charter?

A. That's right. By then it was renamed the Olympic Anti-Doping Charter.

"In conclusion, we confirm our main positions.

Number one, we call for the establishment of unannounced random testing for athletes in training and competition on an international basis.

Number two, we call for a full inquiry of each doping case to review the

involvement of all concerned including the athlete, coach and administrators, and call for severe punishment for those found guilty.

5 Three, we call for more education for athletes, coaches and administrators to teach the dangers of performance enhancing drugs and thus prevent future doping infractions."

10 Q. Now, that is the text of the charter and then what follows and I'd invite you to read it? It is your further thoughts and comments.

A. Yes, this is my further editorial commentary.

15 "Can athletes make an impact on this issue? The answer in my opinion is YES.

Members of the IOC Athletes' Commission have actively pressured the sports community to take effective measures to stop drug use to protect their integrity and health.

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At the 1981 IOC Congress in Baden-Baden, Britain's Sebastian Coe outlined an extreme stance adopted by athletes intended to shock sports leaders:

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a lifetime ban for any athlete, coach or administrator implicated in the use of performance enhancing drugs.

Since then, the Commission has supported the two stage penalty adopted by the IOC, two years for the first offense and a lifetime ban for the second.

Two members of the Commission attended the World Conference on Anti-Doping held in Ottawa in June '88 and spoke for the guarantee of athletes rights in drug testing and for an advisory role for athletes in the creation of a National Anti-Doping Program.

The attendance of IOC Vice-President and Chairman of the IOC Medical Commission, Prince de Merode, at the athletes meetings in both Calgary and Seoul illustrates the importance the IOC places on the opinions of athletes.

Much is said about athletes rights in this issue. Fair enough. Procedures are in place to protect the individual and provide the necessary avenues of appeal.

But what about athlete responsibilities? All athletes, whether

amateur or professional, have a responsibility to a society which places such a high importance on sport.

5 Athletes are role models to millions of children which makes our actions much more than those of just individuals. We have a responsibility to be worthy leaders of society and healthy role models.

10 Canadians have invested heavily in the development of our sports system. Either through the direct government support, through Sport Canada, or indirectly from the benefit of sporting facilities in our communities. Canadians have the right to expect their representatives in sport to adhere to the rules of the game.

15 Not to be ignored are the corporations who, by their sponsorship dollars, have become valuable partners in sport.

20 Corporate interest is in a wholesome, worthy endeavour which attracts the attention of the Canadian public. Athletes have a collective responsibility to be above suspicion so all may benefit. If one athlete raises doubts, all athletes are

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tainted, leaving our partners questioning the value of the relationship.

Since the vast majority of athletes will never see drugs in sport, nor have any interest in using them, we must not tolerate their use in Canadian sport. We can call for effective legal sanctions against steroid distribution and use for reasons other than medicinal purposes.

We can call for the medical profession to implement effective ethical standards and we can ask our sports officials to provide leadership in the international sports community to clean up international sport so there is no imagined need to use performance enhancing drugs to compete against the world's best.

All of us must play a active role if we're going to establish effective measures to combat drug use. Perhaps most important, we must speak out to regain public confidence in amateur sport and in our athletes who devote years of individual effort to representing our country.

Q. All right. Now, going back, if I may

Mr. Read, just to the paragraph that is numbered two in the conclusions of the Seoul Declaration, your Commission said, "We call for a full inquiry of each doping case to review the involvement of all concerned including the athlete, coach and administrators and call for severe punishment for those found guilty."

We have heard it said by more than one witness already in the short life of this Inquiry, that up until now, really, the focus has been on the athlete and the focus has been on the testing procedure ending up with a positive test, in those cases where there are positive tests, and again, I'm afraid it's a little bit like asking if you're in favour of motherhood, but is it, in your opinion, a significant thing that active steps be taken on an urgent basis to deal with this other issue of others involved?

A. Absolutely because I -- at first the rationale for me is that for the most part we're dealing with young adults, sometimes teenagers who are still forming their own opinions, in many cases, and are under the direction, quite often with a very close relationship with the coach or other individuals, and, as an athlete, speaking strictly as an athlete in many cases they wouldn't have the knowledge to secure or administer many of the drugs that are causing problems.

Q. Now, the next matter I want to ask for your assistance in was a proposal that you made to the IOC Athletes' Commission at a meeting after Seoul and can you tell us about that, please?

5 A. It's a proposal that I made to the most recent meeting of the Athletes' Commission which was held December, I believe it was, 7 to 9, 1988.

Q. And that was where, in Vienna?

A. That was in Vienna and Austria.

10 Q. I'm going to ask you to pause for a moment and identify the document. You have it before you, Mr. Commissioner.

THE COMMISSIONER: Yes, I have.

15 MR. ARMSTRONG: Entitled, "Proposal to the IOC Athletes Commission." May I have it marked as Exhibit 86?

THE REGISTRAR: 86.

20 --- EXHIBIT NO. 86: Proposal to the IOC Athletes Commission

25 MR. ARMSTRONG: And we'll mark at the same time, if we may, a document entitled, "Anti-doping Program - Swedish Example," and if Mr. Read will explain in a moment how these documents follow one another.

Exhibit 37, if I may?

THE REGISTRAR: 37.

--- EXHIBIT NO. 37: Anti-Doping Program - Swedish Example

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MR. ARMSTRONG:

Q. Okay, sorry, Mr. Read. Tell us about your proposal to the Athletes' Commission, what it was and where it's gone to this moment?

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A. Well, the background before proposing this to the Commission came from my experience at the anti-doping conference in Ottawa, in June of '88, where the speaker, the key note speaker identified a Swedish program where they had elite athletes who volunteered to participate in an unannounced random testing doping program which involved several -- well, many top level Swedish athletes.

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And why it struck home was that so much of this whole -- the problem of doping and doping control has been punitive, it's focused on the athlete and it has bothered me for a long time that nothing has been done in a positive manner to try to educate the athletes and those involved. Why this is against the rules. Why there are so many controls and rules put in place against the use of performance enhancing drugs.

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As a result of that, and then subsequently, reading the article title Anti-Doping Programs, the Swedish example in the Olympic Charter, where it specifically outlines the Swedish program on the second page under the title, The Swedish Anti-Doping Program, it goes into the specifics of their elite -- it's called Elite Athletes Against Doping.

That prompted me to put forward a proposal to the IOC Athletes' Commission in the hopes that they would adopt it and carry it forward to our bi-annual joint meeting with the IOC Executive Board.

The proposal that I put together -- would you like me to read it or....

Q. Yes. Certainly, by all means, please?

A. It's proposal to the IOC Athletes' Commission to establish an international anti-doping education program.

"Purpose, number one, the creation of a pro-active educational program.

Number two, a positive rather than punitive activity.

Number three, to show leadership in the international sports community.

Philosophy: Following the games of the 24th Olympiad in Seoul, Olympic sport is

suffering erosion of credibility with the public at large. The media have suggested that as high as 50 per cent of Olympic athletes use performance enhancing drugs.

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An international anti-doping program would be geared to re-establishing the credibility of Olympic sport and to provide a positive example to all sportsmen, in particular to you.

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Virtually all anti-doping measures are punitive for the athlete in question is subject to a suspension. The international anti-doping education program would invite elite athletes to participate voluntarily to provide a positive example to all sportsmen and sportswomen, set a positive trend for youth and rebuild public confidence.

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A long-term goal would be to create a drug free environment in sport through positive example.

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Process: If approved by the IOC, create a program for elite athletes against doping based on the Swedish anti-doping model.

Number two, under the direction of the IOC, the IOC Medical Commission and the IOC Athletes' Commission would jointly work in co-operation with the National Olympic Committees and all elite athletes invited to participate in the program.

Number three, elite athletes would participate in a anti-doping campaign and voluntarily agree to be subject to unannounced testing in both training and competition for this program would be part of the Olympic Anti-Doping Charter.

Respectfully submitted, Ken Read,
member of the IOC Athletes' Commission."

Q. And just before we go into what you did with this proposal and what the reception was, can you just explain on a kind of practical level, how the Swedish program seems to operate and what you had in mind based on that example?

A. The Swedish program, it sort of has two sides to it. One is the straight administration of random, unannounced dope testing which is from the complete athlete community in Sweden. The other part is what they call the elite athletes program.

Q. I'll get the correct terminology again?

A. Elite athletes against doping where specific athletes are invited to participate in the program where they volunteer to be subject to unannounced testing in both training and in competition.

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A. There is a table that shows the number of tests carried out in Sweden, the percentage of which those tests that are at random and the number of positives tests. The last numbers available were 1987 where 1,082 tests were carried out. 85 percent of those tests were at random and 33 of them were positive, which represented one point 89 percent of the total tests.

Q. I just want to stop you there just to underscore the fact that's the total testing program in Sweden. None of the elite athletes who were part of this separate program of course tested positively?

A. that was the other side of it, that in 1987 they don't tell how many tests were made but they were all at random. So, 100 percent were at random and they had no positives.

THE COMMISSIONER: That is from elite --

THE WITNESS: That's exactly from the elite athletes --

THE COMMISSIONER: -- the ones that volunteered.

MR. ARMSTRONG:.

Q. And we can see I think, Mr. Read, on the third page of this document, page 237 of Exhibit 87, that the elite group was an elite group of 28 athletes covering boxing; wrestling; soccer; athletics, which is

track and field; handball; ice hockey; swimming; skiing;
skating; and weightlifting. And so I take it that if you
were applying this proposal to Canada, you would select a
similar representative group of elite athletes and say,
5 all right, you are going to be our role models and you men
and women will agree to random, unannounced testing?

A. That's correct. It would be based on
taking whatever, I think it's a combination of including
problem sports plus those -- wanting to include those
10 individuals who are high profile so they can -- they are
acting as role models and trying to get the message across
that it's not necessary to use performance enhancing drugs
to succeed. And the program, the outline of the program,
they do take pains to mention that two of the Olympic
15 medalists, gold medalists, I should add, from Calgary,
Gunde Svan in cross country, and Thomas Gustafsson in
speed skating, both sports that are subject to problems,
won gold medals and were part of time program.

THE COMMISSIONER: They were two of the
20 volunteers, were they.

THE WITNESS: Yes.

MR. ARMSTRONG:

Q. You would say young, if you were a
young Swedish girl or boy, they could look at that example
25 and say there are a couple of people who made it right to

the top in high risk sports without the benefit of performance enhancing drugs?

A. Exactly. And one other element as well and that has been discussed many times, has been the legal
5 issue which people have said is a road block of individual rights and by volunteering to participate, you circumvent that completely, the individual has waived his right to --

THE COMMISSIONER: Well, also our athletes have a contract to submit to analysis?

10 THE WITNESS: But that's been -- the rights issue has been raised by -- at various authorities that may be a road block. I personally feel that there is a way to get around that but in the meantime until that's tested and right now certainly in the United States it's
15 been tested against several times against the NCAA, and I believe the NFL is presently being tested through the legal channels by the NFL Players Association and various organizations like that.

THE COMMISSIONER: We are following that.

20 MR. ARMSTONG: Sorry.

THE COMMISSIONER: I read some of those cases.

MR. ARMSTRONG: Yes, all right.

Q. Again, I am about to break one of rules
25 that we lawyers are supposed to govern ourselves by and

that is ask you a question and the answer to which I don't know, but I break that rule all the time anyway.

You mentioned that you had some thoughts about the problem of athletes' rights and how perhaps to deal with it. What are your thoughts on that that you just mentioned a moment ago?

A. Well, my thoughts on that are athletes should be given the rights of due process and natural justice in any proposal and so on, but I think that at the most basic level, an individual's participation in sport is not a right but a privilege, and as such, as a privilege you are subject to the rules. And one of the rules is that you, and that's not just the athlete that's the coach, that's everyone participating in that, you are subjected to the rules. And one of the rules is that you don't use performance enhancing drugs.

Q. Now, tell us what you did with this proposal and where it presently sits, please.

A. I proposed it to the Athletes' Commission and we had considerable discussion over it.

Q. This is in Vienna a month or so ago?

A. This is in Vienna. And the decision was to receive the document and to merely mention it as something that the Commission had received and had an interest in at our meeting the following day with the

Executive Board of the IOC. The rationale for simply receiving it and not adopting it or pushing it any further was the feeling on our part, the Commission, that enough was being done at this point in time with the various initiatives, be it the anti-doping charter, the Sports Ministers Conference had just been concluded in Moscow. There were to be discussions with the IOC and the National Olympic Committees in Vienna on the same subject, all of these different things coupled with the fact that the IOC was taking steps to establish a new commission for the implementation of the international controls.

And so the decision was to step back and come back to this at a future time, but at this point in time with so much else going on this was only going to go clutter the agenda.

We then did carry it forth to the meeting with the Executive Board where the individual speaking on the doping issue was Anita DeFrantz, and she did mention it and it was acknowledged by the Executive Board, in particular one member immediately interrupted her and came out and said that's a good idea, and -- but at this point in time, that's where it stands. It's merely been received by the Athletes' Commission.

Q. You have got it into the starting gate and you are there waiting to go?

A. Waiting for the countdown.

MR. ARMSTRONG: Those are all the questions I have.

THE COMMISSIONER: Thank you, Mr. Armstrong.

5 MR. ARMSTRONG: Thank you, Mr. Read, very much.

THE COMMISSIONER: Any questions of Mr. Read.

Well, thank you, very much, Mr. Read.

10 When this phase of the Commission opened, I indicated that I thought that the matters that we are considering here were matters of public concern not merely the concern of those in the athletic community. And perhaps from a selfish point of view, I felt that athletic
15 competition is a great resource for the future of Canada and for it's figure and vitality and potential leadership by which we can draw from that source.

20 This week I think has at least convinced me that I am on the right road on this issue. I can't recall a week in which we have had so many people who are dedicated to trying to maintain the future of athletic competition consistent with subjectives. So many outstanding people, and I must confess that your presence here today and what you are doing, is sort of a visual
25 demonstration of the concept which I was trying to put

into words about one of the many who are providing such
great leadership in Canada, a role model for all of us who
I think cannot help but benefit from athletic competition.
And I am very indebted to you. Thank you, very much for
5 your guidance, and we are going to consider very carefully
your recommendations.

THE WITNESS: Thank you.

THE COMMISSIONER: All right. You are free
to go.

10 MR. ARMSTRONG: That's all.

THE COMMISSIONER: I understand you
mentioned yesterday Dr. Jackson was here and we couldn't
reach him. And Mr. Pound couldn't be here today.

MR. ARMSTRONG: Mr. Pound was ready to be
15 here on Tuesday, but we asked him to stay away because we
didn't think we would reach him.

THE COMMISSIONER: So, thank you, very much,
counsel, for your help in our first phase.

We are going to adjourn now to the Montreal
20 sittings which are commencing February 1st.

MR. PROULX: That's right, Mr.
Commissioner, and as announced before, we will start with
the second phase.

THE COURT: I understand that it is --

25 MR. PROULX: Weightlifters.

THE COMMISSIONER: -- at the Hilton.

MR. PROULX: The Holiday Inn, it's exactly the same.

5 THE COMMISSIONER: And that is to go to the -- is it the 10th of February.

MR. PROULX: The 10th of February.

THE COMMISSIONER: All right, thank you, Mr. Proulx.

10 Mr. Armstrong, we are going to reconvene here, you suggest the 20th, but we have some logistic problems.

15 MR. ARMSTRONG: Yes. I think we met, as you know yesterday, with some of the members of the media who have been here consistently throughout and got the benefit of some of their suggestions, which Mr. Proulx, and Ms. Chown and myself want to review with you. And we thought that we may well as a result of some of advise we have gotten from them that we might well be advised to consider starting not on a Monday but --

20 THE COMMISSIONER: On a Wednesday.

MR. ARMSTRONG: On the Wednesday of that week, which would be February 22.

THE COMMISSIONER: Do you want to withhold that decision until we are in Montreal.

25 MR. ARMSTRONG: I think we can do that and

we can either announce it in Montreal or issue a news
release.

THE COMMISSIONER: All right. We will
adjourn now. Thank you, very much.

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MR. ARMSTRONG: Thank you, Mr. Commissioner

--- Whereupon the hearing adjourned to to.

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February 1, 1989.

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